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75134

WARRANTY DEED
MTC - 7955

Vol. M 79 Page 23767

KNOW ALL MEN BY THESE PRESENTS, That William L. Garriott and Allison Garriott, Husband and Wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by John G. Maguire and Bonnie J. Maguire, Husband and Wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

The SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the W $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon. Reserving unto the Grantors their Heirs and Assigns a perpetual non-exclusive easement over the following described real property; An existing road 30 feet in width situated in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 4, Township 41 South, Range 10 East of the Willamette Meridian in Klamath County, Oregon and being 15 feet in width on each side of the following described centerline: Beginning at a point on the apparent center line of an existing gravel road, described as an over and across easement in Volume M78, page 3938 of Klamath County Deed Records, from which the Southwest corner of said Section 4, as marked by a 5/8" iron pin, bears S26° 05' 05" W 3076.55 feet; thence Northeasterly generally along an existing road, N73° 38' 50" W 764.47 feet, N64° 16' 55" W 270.13 feet, N54° 57' 58" W 275.94 feet; thence 30° 42' 17" W 389.67 feet more or less, to a point on the West line of said S $\frac{1}{2}$ NW $\frac{1}{4}$. Bearing based on the line between the Southwest corner of section 4, as marked by a 5/8" iron pin and W $\frac{1}{2}$ corner of Section 4, CONTINUED

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE) ON REVERSE:
To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as stated above or on the reverse of this deed, or those apparent upon the land, if any, as of the date of this deed.

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 49,500.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 5th day of October, 1979; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, } ss.
County of Klamath
October 5, 19 79

Personally appeared the above named
William L. Garriott and
Allison Garriott

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:
My Commission Expires July 13, 1981

STATE OF OREGON, County of } ss.

Personally appeared _____ and _____, who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

William L. Garriott and Allison Garriott

GRANTOR'S NAME AND ADDRESS

John G. Maguire and Bonnie J Maguire
1719 Winoma Way
Klamath Falls, Oregon 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

as above

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

as above

NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.

County of _____
I certify that the within instrument was received for record on the _____ day of _____, 19____,

at _____ o'clock _____ M., and recorded in book _____ on page _____ or as file/reel number _____.

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By _____ Deputy

SPACE RESERVED
FOR
RECORDER'S USE

CONTINUED FROM REVERSE:

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Accepting an existing 3" pipe fence corner set in concrete, as being N00° 47' 00"W. Said easement being for the purpose of ingress and egress over and upon said roadways, provided, however, that this easement shall not be considered exclusive, but shall be for non-commercial use. The purpose of said easement is to allow sellers/grantors access to a parcel of land, described as the S½NE¼, Section 5, Township 41S, Range 10 E of Willamette Meridian.

Also, including the following easements and rights of ways as recorded in records of Klamath County, Oregon

Recorded: February 22, 1977

Volume M77

Page 3134 and 3135, Microfilm records of Klamath County.

Also, including an easement as recorded in records of Klamath County, Oregon;

Volume M77

Recorded: February 22, 1977

Page: 3132 and 3133 Microfilm records of Klamath County

Also, reserving unto the Grantor a perpetual non-exclusive easement over the existing gravel surface roadway commencing on the North line of the SW¼NW¼, Section 4, Township 41 South, Range 10 East of the Willamette Meridian; Bearing in a Southeasterly direction through the SW¼NW¼, S½SE¼NW¼, NE¼SW¼ to a point on the South line of the NE¼SW¼. Easement as referenced in document recorded in Klamath County Volume M67, page 1711 Deed records of Klamath County, Oregon

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

2. Reservations as contained in Warranty Deed recorded March 2, 1978 in Volume M78, page 3938, Microfilm Records of Klamath County, Oregon, as follows:

"RESERVING unto Grantor the use of the existing graveled road located upon, over and across the above described real property, provided Grantors shall at all times contribute to the maintenance thereof commensurate with their use of said road."

3. Easement and Right of Way Agreement, including the terms and provisions thereof,

Recorded: March 2, 1978

Volume: M78, page 3940, Microfilm Records of Klamath County, Oregon

In Favor of: James M. Barnes and Peggy Barnes, husband and wife

For: Ingress and egress over a graveled road

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.

this 8th day of October A. D. 19 79 at 3:04 o'clock P M., in

fully recorded in Vol. M79, of Deeds on Page 23767

Wm. D. MILNE, County Cl.

Fee \$7.00

By Sametha H. Hetch