

3444 75913 Vol. M 19 Page 25082  
KNOW ALL MEN BY THESE PRESENTS, That Leroy Jackson, Sr., and Catherine Wright Jackson, Husband and Wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Harry R. Waggoner and Norma E. Waggoner, and Walter B. Waggoner, 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:

An undivided 1/20th interest as tenants in common in the real property, situated in Klamath County, Oregon, and more fully described on Exhibit A, attached hereto, and by this reference made a part hereof.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)  
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 excepting those shown on the Lot Book Service and Exhibit A attached hereto and by this reference made a part hereof. 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 \$75,000.00. ~~the whole of the consideration (indicate which) consists of or includes other property or proposed which is~~ 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 February, 1975, 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,  
County of Klamath } ss.  
February 5, 1975

Personally appeared the above named  
Leroy Jackson, Sr., and  
Catherine Wright Jackson  
and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon  
My commission expires 4-16-77

STATE OF OREGON, County of \_\_\_\_\_, 19\_\_\_\_ ss.  
Personally appeared \_\_\_\_\_, and  
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,  
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:

Notary Public for Oregon  
My commission expires:

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS  
GRANTEE'S NAME AND ADDRESS  
After recording return to:  
Harry R. Waggoner  
P.O. Box 664  
Klamath Falls, Oregon 97601  
NAME, ADDRESS, ZIP  
Until a change is requested all tax statements shall be sent to the following address.  
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.  
By \_\_\_\_\_ Recording Officer  
Deputy

SPACE RESERVED FOR RECORDING USE

## LOT BOOK SERVICE

January 17, 1975

Order No. 25421

We have searched our Tract Indices as to the following described property:

See Attached

and as of January 13, 1975 at 8 o'clock A.M.:

We find that the last deed of record runs to

PARCEL 1: HARRY R. WAGGONER AND NORMA E. WAGGONER  
An estate in fee simple as tenants by the entirety  
As to an undivided one-half interest

H. R. WAGGONER  
An estate in fee simple  
As to an undivided 4/10ths interest

WALTER B. WAGGONER  
An estate in fee simple  
As to an undivided 1/10th interest

ALL AS TENANTS IN COMMON

PARCEL 2: HARRY R. WAGGONER  
An estate in fee simple

PARCEL 3: HARRY R. WAGGONER AND NORMA E. WAGGONER  
An estate in fee simple as tenants by the entirety  
As to an undivided 9/10ths interest

WALTER B. WAGGONER  
An estate in fee simple  
As to an undivided 1/10ths interest

ALL AS TENANTS IN COMMON

PARCEL 4: HARRY R. WAGGONER AND NORMA E. WAGGONER  
An estate in fee simple as tenants by the entirety  
As to an undivided one-half interest

PARCEL 4: H. R. WAGGONER,  
(Cont') An estate in fee simple  
As to an undivided 4/10th interest

WALTER B. WAGGONER  
An estate in fee simple  
As to an undivided 1/10th interest

ALL AS TENANTS IN COMMON

PARCELS 5 & 6:

HARRY R. WAGGONER AND NORMA E. WAGGONER  
An estate in fee simple as tenants by the entirety

We also find the following apparent incumbrances within ten years prior to the effective date hereof:

1. Mortgage, including the terms and provisions thereof, executed by Harry R. Waggoner and Norma E. Waggoner, husband and wife, and Walter B. Waggoner and Donna Marie Waggoner, husband and wife, to The First National Bank of Oregon, Portland, a national banking association, dated January 7, 1969, recorded January 7, 1969, in Volume M69 page 175, Microfilm records of Klamath County, Oregon, to secure the payment of \$1,000,000.00.

2. Mortgage, including the terms and provisions thereof, executed by Harry R. Waggoner and Norma E. Waggoner, husband and wife, and Walter B. Waggoner and Donna Marie Waggoner, husband and wife, to First National Bank of Oregon, a national banking association, dated July 7, 1972, recorded July 7, 1972 in Volume M72 page 7415, Microfilm records of Klamath County, Oregon, to secure the payment of \$490,000.00.

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find none

We also find the following unpaid taxes and city liens:

| Taxes for: | 1974-75   | 1973-74   | 1972-73   | 1971-72   | Code         |
|------------|-----------|-----------|-----------|-----------|--------------|
|            | \$1357.68 | \$1485.36 |           |           | 41-4326-7    |
|            | 7083.89   | 7384.18   | \$ 381.59 | \$ 416.01 | 41-4326-10-1 |
|            | 7034.31   | 7688.05   | 10,041.75 | 10,976.65 | 41-4326-10   |
|            | 745.19    | 812.25    | 284.52    |           | 41-4326-11-1 |
|            | 614.32    | 638.90    |           |           | 41-4326-12   |

25085

THIS IS NOT A TITLE REPORT, since no examination has been made of the title of the above described property. Our search for apparent incumbrances was limited to our Tract Indices, and therefore above listings do not include additional material which might have been disclosed by an examination of the record title. We assumed no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

KLAMATH COUNTY TITLE COMPANY

BY: *Donald R. Wolfman*

A portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, Twp. 39 S., R. 9 E.W.M., more particularly described as follows:

Beginning at an iron pin on the South right-of-way line of South Sixth Street as presently located and constructed, which bears S. 0°22'15" E. a distance of 48.5 feet from the Northwest corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence Easterly, along said right-of-way line a distance of 142.5 feet to a point; thence South at right angles to said right-of-way line a distance of 460.0 feet to a point; ~~thence North along said West line a distance of 142.5 feet, more or less, to the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence North along said West line a distance of 460.0 feet to the point of beginning.~~  
thence West, parallel to said right-of-way line, a distance of 142.5 feet, more or less, to the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence North along said West line a distance of 460.0 feet to the point of beginning.

## PARCEL 2:

A tract of land situated in the SE $\frac{1}{4}$  of Sec. 3, Twp. 39 S., R. 9 E.W.M., more particularly described as follows:

Beginning at the East one-fourth corner of said Sec. 3; thence South 89°52' West 1,275.74 feet; thence South 00°21'47" East 54.10 feet to a one-half inch pipe on the Southerly right-of-way line of the Dalles-California Highway marking the Northeast corner of that parcel of land described in Deed Vol. 251 page 162, as recorded in the Klamath County Deed Records; thence continuing South 00°21'47" East along the East line of said parcel described in said Deed Vol. 251 page 162, 233.00 feet to the true point of beginning of this description; thence continuing South 00°21'47" East along said line 395.64 feet to the Northerly right-of-way line of the Oregon-California and Eastern Railway Company; thence North 67°41' West along said right-of-way line 156.57 feet (162 feet by record); thence North 00°55'30" West along the West line of said parcel described in said Deed Vol. 251 page 162, 334.24 feet; thence North 89°14' East 147.71 feet to the true point of beginning of this description, containing 1.25 acres, more or less, with bearings being based on the East line of the SE $\frac{1}{4}$  of Said Sec. 3 as being South 01°14' East.

## PARCEL 3:

A portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 3, Twp. 39 S., R. 9 E.W.M., more particularly described as follows:

Beginning at a one-half inch iron pin on the South right-of-way line of South Sixth Street, as the same is presently located and constructed, said point being on the West line of tract of land deeded to Miller by deed Vol. 251 page 162 and the East line of a tract of land deeded to Wheeler by deed Vol. 142 page 349, Klamath County Deed Records; thence S. 0°55'30" E. along the line between the two above described tracts a distance of 291.6 feet to a 5/8 inch iron pin marking the Southeast corner of a tract of land deeded to United States National Bank of Oregon by deed recorded in Vol. M67, page 4075, Microfilm Records of Klamath County, Oregon, and the True Point of Beginning of this description; thence continuing S. 0°35'30" E. a distance of 275.64 feet, more or less, to the Northeasterly right-of-way line of the O.C. & E. Railroad; thence N. 67°41' W. along said right-of-way line a distance of 148.11 feet to the Southwest corner of said Wheeler tract; thence N. 0°55'30" W. along the West line of said Wheeler tract, a distance of 217.58 feet to the Southwest corner of said United States National Bank tract; thence N. 89°14' E. along the South line of said tract, a distance of 136.09 feet to the point of beginning.

## EXCEPTING THEREFROM:

The following described real property situate in Klamath County, Oregon:

A portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, Township 39 South, Range 9 East of the Willamette Meridian more particularly described as follows:

Beginning at a one-half inch iron pin on the South right of way line of South Sixth Street, as the same is presently located and constructed, said point being on the West line of tract of land deeded to Miller by deed Volume 251, page 162 and the East line of tract of land deeded to Wheeler by deed Volume 142, page 349, Klamath County deed records; thence South 0°55'30" East along the line between the two above described tracts a distance of 291.6 feet to a 5/8 inch iron pin marking the Southeast corner of tract of land deeded to United States National Bank of Oregon by deed recorded in Volume M67, page 4075, Microfilm records of Klamath County, Oregon and the true point of beginning of this description; thence continuing South 0°55'30" East a distance of 50.0 feet to a point; thence South 89°14' West a distance of 136.09 feet to a point; thence North 0°55'30" West a distance of 50.0 feet to the Southwest corner of said parcel described in Volume M67, page 4075; thence North 89°14' East, along the South line of said parcel, a distance of 136.09 feet, more or less, to the point of beginning.

## Parcel 4:

A tract of land situate in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, Township 39 South, Range 9, E.W.M. described as follows:

Beginning at a  $\frac{1}{2}$ " iron pin which bears S. 89°52' W. a distance of 745.73 feet and S. 0°20'55" E. a distance of 220.16 feet from the brass cap monument marking the East  $\frac{1}{4}$  corner of Section 3, Township 39 South, Range 9, E.W.M., said beginning point also being on the South line of tract described as Parcel #1 in deed from Klamath County School District to Klamath County, recorded in Vol. 295, page 135, deed records of Klamath County, Oregon; thence continuing from said beginning point S. 0°20'55" E. along a line parallel to and 4.0 feet distant Easterly, when measured at right angles to, from the existing Easterly wall of the Payless Drug Store building as the same is presently located and constructed, a distance of 402.04 feet to a  $\frac{1}{2}$ " iron pipe; thence S. 53°42'15" W. a distance of 304.44 feet, more or less, to a  $\frac{1}{2}$ " iron pipe on the Northeasterly boundary of the O. C. & E. Railroad right-of-way as the same is presently located and constructed, and from which point the aforesaid monument marking the East  $\frac{1}{4}$  corner of said Section 3 bears N. 50°50'20" E. a distance of 1273.34 feet; thence Northwesterly along said Northeasterly boundary of the O. C. & E. Railroad right-of-way a distance of 299.5 feet, more or less, to the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ ; thence North along said West line a distance of 186.5 feet, more or less, to a point on said West line which bears S. 0°22'15" E. a distance of 460.0 feet from the Southerly boundary line of the relocated right-of-way of the Klamath Falls-Lakeview Highway; thence Easterly, parallel with said Highway right-of-way line, a distance of 142.5 feet to a point; thence North, parallel with the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ , a distance of 460.0 feet, more or less, to the Southerly boundary of said relocated Highway right-of-way; thence Easterly along said relocated right-of-way line a distance of 387.7 feet, more or less, to a point which bears N. 0°20'55" W. from the point of beginning; thence S. 0°20'55" E. a distance of 174.66 feet, more or less, to the point of beginning.

**PARCEL 5:** A parcel of land lying in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, Township 39 South, Range 9 E.W.M., in Klamath County, Oregon, and more particularly described as follows:

Beginning at a point which is South 55.03 feet and South 89°14' West 630 feet from the quarter section corner common to Section 2 and 3, Township 39 South, Range 9 E.W.M. which point is also South of (when measured at right angles to) the relocated center line of the Klamath Falls-Malin Highway; thence continuing South 89°14' West 79.4 feet to the Northwest corner of this description; thence South 0°18' East 137 feet; thence North 89°14' East 81.9 feet; thence North 0°18' West 137 feet to the point of beginning.

EXCEPTING from the above described parcel a strip of land 8 feet wide running North and South on the West side of said above described parcel of land reserved for sidewalk purposes.

**PARCEL 6:** A tract of land described as follows: Beginning at an iron pin which lies on the Southerly right of way line of the Dalles-California Highway, 40 feet Southerly at right angles from the center line thereof, and which lies South 89°51' West a distance of 30 feet along the East-West quarter line and South 1°14' East parallel to the East Section line a distance of 42.03 feet, and South 89°14' West along the Southerly right of way line of the Dalles-California Highway 40 feet Southerly at right angles from the center line thereof, a distance of 550 feet from the brass plug in the pavement which marks the one-quarter section corner common to sections 2 and 3, Township 39 South, Range 9 E.W.M., Klamath County, Oregon, and running thence: continuing South 89°14' West along the Southerly right of way line of the Dalles-California Highway 40 feet Southerly at right angles from the Center line thereof, a distance of 50 feet to an iron pin; thence South 1°14' East parallel to the Section line a distance of 150 feet to an iron pin; thence North 89°14' East parallel to the center line of the Dalles-California Highway a distance of 50 feet to an iron pin; thence North 1°14' West parallel to said Section line, a distance of 150 feet, more or less, to the point of beginning, said tract being a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, Township 39 South, Range 9 E.W.M.

EXCEPTING THEREFROM that portion deeded to the State of Oregon by and through its State Highway Commission by deed dated April 16, 1946, recorded April 21, 1946 on page 218 of Volume 188 of Deeds, records of Klamath County, Oregon.

STATE OF OREGON, COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 25th day of October A.D., 19 79 at 11:21 o'clock A M., and duly recorded in Vol. M79 of Deeds on Page 25082.

FEE \$24.50

WM. D. MILNE, County Clerk

By Bernice Heloich Deputy