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WARRANTY DEED

Vol. 177 Page 28094

KNOW ALL MEN BY THESE PRESENTS, That JELD-WEN, inc., an Oregon corporation,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by RICHARD A. SMITH and GENEVA A. SMITH, 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:

PARCEL 1: W $\frac{1}{2}$ SW $\frac{1}{4}$ , Section 1, NE $\frac{1}{4}$ , Section 2, NW $\frac{1}{4}$ , Section 12, all in Township 40 S., R. 13 E.W.M., SAVING AND EXCEPTING THEREFROM those portions conveyed to the United States of America by Deed Volume 64, Page 298, Deed Volume 69, Page 292, Deed Volume 69, Page 556, and Deed Volume 75, Page 552.

PARCEL 2: SE $\frac{1}{4}$ , Section 2, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 11, all in Township 40 S., R. 13 E.W.M., containing 320 acres, more or less, SAVING AND EXCEPTING THEREFROM a strip of land aggregating 1.2 acres in area in said SE $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 11, described by metes and bounds, heretofore conveyed to the United States by deed dated February 10, 1926, recorded May 29, 1926, in Volume 69, Page 606, Deed Records of Klamath County, Oregon.

SUBJECT TO: (1) Liability for deferred taxes under the farm use statute, ORS 308.370 to 308.403. (2) Acreage and use limitations under provisions (IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE) (CONTINUED 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 herein,

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 \$600,000.00

However, the actual consideration consists of or includes other property or value given or promised which is ~~XXXXX~~ a part of the ~~XXXXX~~ consideration (indicate which). (The sentence between the symbols ~~XXXXX~~, 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 29 day of Nov., 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.

JELD-WEN, inc.

(If executed by a corporation, affix corporate seal)

By *[Signature]* - Pres.  
By *[Signature]* V.P.

STATE OF OREGON, )  
County of ) ss.  
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STATE OF OREGON, County of KLAMATH ) ss.  
11/29, 1979

Personally appeared *[Signature]* and *[Signature]* 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 JELD-WEN, inc.

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: *[Signature]*

Notary Public for Oregon

My commission expires: 12/13/82

(OFFICIAL SEAL)

(OFFICIAL SEAL)

Before me:

Notary Public for Oregon

My commission expires:

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

Personally appeared the above named

STATE OF OREGON, ) ss.  
County of )

I certify that the within instrument was received for record on the day of 1979, at o'clock M., and recorded in book/reel/volume No. on page or as document/fcc/file/instrument/microfilm No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

By Deputy

SPACE RESERVED FOR RECORDER'S USE

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to: *[Signature]*

NAME, ADDRESS, ZIP

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

RICHARD A. and GENEVA A. SMITH

RT Box 66  
Klamath Falls, Oregon 97603  
NAME, ADDRESS, ZIP

## (DESCRIPTION CONTINUED)

of United States Statutes and regulations issued thereunder. (3) Liens and assessments of Klamath Project and Langell Valley Irrigation District, and regulations, contracts, easements and water and irrigation rights in connection therewith. (4) Rights of the public in and to any portion of the herein-described property lying within the boundaries of public roads or highways. (5) Right of way, including the terms and provisions thereof, given by Florence Mascotte and Paul Mascotte to The California Oregon Power Company, a California corporation, dated April 2, 1941, recorded May 24, 1941, in Volume 138, Page 209, Deed Records of Klamath County, Oregon. (Affects SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 2.) (6) Mortgage, including the terms and provisions thereof, executed by James V. Haapoja and Lois J. Haapoja, husband and wife, to The Travelers Insurance Company, dated May 17, 1978, recorded May 25, 1978, in Volume M-78, Page 11118, Mortgage Records of Klamath County, Oregon, to secure the payment of \$330,000.00, which mortgage grantor agrees to pay according to the terms thereof and to save grantees harmless thereon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Co.  
 this 4th day of December A. D. 1979 at 4:36 clock P. M., and  
 duly recorded in Vol. 479, of Deeds on Page 28094

Wm D. MILNE, County Clerk

Fee \$7.00