

WARRANTY DEED-TENANTS BY ENTIRETY

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79437

KNOW ALL MEN BY THESE PRESENTS, That Flying Dutchman Land & Cattle Co., Inc., an Oregon corporation hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Tony C. Pires and Maria C. Pires, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated by reference.

Subject to: 1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. 2. Rights of the Federal Government, the State of Oregon, and the general public in any portion of the herein described premises lying below the high water line of Lost River. 3. Acreage and use limitations under provisions of United States statutes and regulations issued thereunder. 4. Liens and assessments of Klamath Project and Horsefly Irrigation District and regulations, contracts, easements, water and irrigation rights in connection therewith. 5. Easement contained in deed from John S. Horn et al., to the Horsefly Irrigation District dated August 10, 1926, recorded November 27, 1926, Vol. 81, page 464, Deed Records of Klamath County, Oregon, as follows: "Also a flowage right, over all the remaining land of East Bonanza, (continued on reverse)"

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantees and the heirs of the survivor and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, excepting any additional taxes levied by reason of disqualification for special assessment as farm land which Grantee herein assumes and agrees to, 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 \$405,000.00. However, the actual consideration consists of or includes other property or value given or promised which 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 May, 1978; 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.

FLYING DUTCHMAN LAND & CATTLE CO., INC.

By: *Terence J. Roeloffs* President

By: *Raymond J. Salisbury* Secretary

STATE OF OREGON County of Josephine

May 5, 1978. Personally appeared *Terence J. Roeloffs* and *Raymond J. Salisbury* 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 Flying Dutchman Land & Cattle Co., 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:

*Karen A. Calvert*

Notary Public for Oregon

My commission expires: 11-7-81

(OFFICIAL SEAL)

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11-7-81

Flying Dutchman Land & Cattle Co., Inc.

GRANTOR'S NAME AND ADDRESS

Tony C. Pires & Maria C. Pires

GRANTEE'S NAME AND ADDRESS

Raymond J. Salisbury

P.O. Box 378

Grants Pass, Oregon 97526

NAME, ADDRESS, ZIP

After recording return to:

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

NAME, ADDRESS, ZIP

STATE OF OREGON

County of

I certify that the within instrument was received for record on the

day of

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

Deputy

By

NAME, ADDRESS, ZIP



## LEGAL DESCRIPTION

## EXHIBIT "A"

All in Township 39 South, Range 11 East of the Willamette Meridian

Section 15: W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , all that portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$  lying South of Lost River, and the N $\frac{1}{2}$ SW $\frac{1}{4}$  SAVING AND EXCEPTING the following: That tract of land described as follows: Beginning at a  $\frac{1}{2}$  inch iron pin from which the northwest corner of said Section 15 bears N 01°44'03" W 3681.45 feet; thence S 78°02'07" E 174.45 feet to a  $\frac{1}{2}$  inch iron pin; thence S 89°52'45" E 231.30 feet to a  $\frac{1}{2}$  inch iron pin; thence S 89°20'52" E 801.00 feet to a  $\frac{1}{2}$  inch iron pin; thence S 15°16'07" E 217.00 feet to a  $\frac{1}{2}$  inch iron pin; thence continuing S 15°16'07" E 20 feet, more or less, to the south line of the N $\frac{1}{2}$ SW $\frac{1}{4}$  of said Section 15; thence Westerly along said line to the southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 15; thence Northerly along the west line of said Section 15 to a point that bears S 81°00'05" W from the point of beginning; thence N 81°00'05" E to a  $\frac{1}{2}$  inch iron pin set in an existing north-south fence line; thence continuing N 81°00'05" E 76.21 feet to the point of beginning, containing 7.2 acres, more or less, with bearings based on Bowne Addition to the Town of Bonanza.

Section 10: Beginning at the intersection of the West right of way line of West Park Street in vacated East Bonanza in Klamath County, Oregon, with the line between Sections 10 and 15 Township 39 South, Range 11 East of the Willamette Meridian, which point is 1910 feet West of the corner common to Sections 10, 11, 14 and 15 of said township and range; thence North along the West line of said West Park Street to the Southerly right of way line of the abandoned Klamath County Market Road No. 5; thence Northwesterly along said right of way line to the point of intersection with the West bank of Lost River near the West end of the old Market Road Bridge; thence Southerly along the West bank of the East Channel of Lost River to its intersection with the North line of the Vacated South half of Block 55; thence East to the East line of said Block 55; thence South to the South line of said Block 55; thence West to the West line of said Block 55; thence South 150 feet, more or less, to the South boundary line of said Section 10; thence East along said Section line 660 feet, more or less, to the point of beginning.

EXCEPTING from the last described parcel that portion thereof described as follows: Beginning at the intersection of the centerline of West Park Street in vacated East Bonanza, Klamath County, Oregon, with the Southerly right of way line of the existing Langell Valley Market Road; thence Northwesterly along the Southerly line of the existing Langell Valley Market Road to the West bank of Lost River near the West end of the Market Road Bridge; thence Southerly along the West bank of the East Channel of Lost river to a point 300 feet Southerly of (when measured at right angles to) the relocated centerline of Langell Valley Market Road; thence Easterly parallel to said relocated centerline 30 feet, more or less, to a point opposite centerline station 9+15 on said relocated centerline; thence Northerly at right



angles to said relocated centerline 250 feet; thence Easterly parallel to and 50 feet Southerly of said relocated centerline 485 feet, more or less, to the centerline of said West Park Street; thence North along the centerline of said West Park Street 45 feet, more or less, to the point of beginning. The relocated centerline referred to above is described as follows: Beginning at Engineer's centerline Station 4+71, said Station being 1269 feet North and 2428 feet East of the Southwest corner of said Section 10; thence North  $89^{\circ}50'30''$  East 374.83 feet; thence on a 2291.83 foot radius curve right (the long chord of which bears South  $79^{\circ}07'$  East) 883.33 feet to Station 17+29.16.

Together with an appurtenant easement described as follows:

A Sixty foot strip of land, the East line of which is the North-South center line of Section 22 Township 39 South, Range 11 E.W.M., commencing at the Northeasterly right of way line of the West Langell Valley County Road, and running thence North along the center line of Section 22 to the South line of Section 15 Township 39 S.R. 11 E.W.M.

Together with a 60 foot by 60 foot parcel of land North and adjacent to said strip in Section 15 Township 39 S.R. 11 E.W.M.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Company

this 16th day of January 3:12 A. D. 1980 at — o'clock P M., an-

fully recorded in Vol. M-80, of Deeds on Page 951

Wm D. MILNE, County Clk

*Reginald J. Mettee*

Fee \$14.00

Exhibit "A"--Legal Description