

MOUNTAIN TITLE COMPANY

WARRANTY DEED

Vol. 780 Page 5561

KNOW ALL MEN BY THESE PRESENTS, That FRANK M. SCOTT

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CHARLES W. KERR, JR.,
 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

Beginning at the Northwest corner of HOMEDALE Tract 25, thence South 0° 20' West 128.5 feet to a stake; thence South 46° 01' East 398.1 feet to a stake; thence North 26° 30' East 75.9 feet to the Northeast corner of said Tract 25; thence North 43° 30' West 464.5 feet to the point of beginning, being portion of HOMEDALE Tract 24 and 25.

EXCEPTING THEREFROM that portion described as follows: Beginning at the Southwest corner of Lot 13, Homedale, Klamath County, Oregon; thence South 0° 20' West along the East boundary of Homedale Road; 19.22 feet to a one-half inch iron pin; thence South 67° 32' East, 32.26 feet to the Southerly boundary of Lot 13; thence North 43° 16' 30" West, along the Southerly boundary of Lot 13, 43.33 feet, to the point of beginning.

(continued on the reverse side of this deed)

(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 except as stated on the reverse side 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 \$ 29,500.00.
 However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the 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 25 day of April, 1980; 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.

X Frank M. Scott
 FRANK M. SCOTT

(If executed by a corporation, affix corporate seal)

Idaho
 STATE OF OREGON, } ss.
 County of Idaho }
 April 25, 1980

STATE OF OREGON, County of Idaho } ss.
 April 25, 1980

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 _____

Personally appeared the above named
 FRANK M. SCOTT

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

Before me: *Lee G. Datter*
 (OFFICIAL SEAL) Notary Public for Idaho
 My commission expires: Life

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: _____
 Notary Public for Idaho
 My commission expires: Life (OFFICIAL SEAL)

Mr. Frank M. Scott
 Star Rt. Box 26
 Grangeville, ID 83530
 GRANTOR'S NAME AND ADDRESS

Mr. Charles W. Kerr, Jr.
 Rt. 3, Box 288
 Klamath Falls, OR 97601
 GRANTEE'S NAME AND ADDRESS

After recording return to:
 SAME AS GRANTEE

NAME, ADDRESS, ZIP

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

SAME AS GRANTEE

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

MOUNTAIN TITLE COMPANY

(continued from the reverse side of this deed)

PARCEL 2

8566

Commencing at the Southwest corner of Lot 13, Homedale, Klamath County, Oregon; thence South 43° 16' 30" East, along the Southerly boundary of Lot 13, 43.33 feet to the true point of beginning; thence South 43° 16' 30" East, 75.17 feet to an iron pin; thence North 8° 06' 40" East, 31.88 feet to a one-half inch iron pin; thence North 67° 32' West, 60.63 feet to the true point of beginning.

SUBJECT TO:

1. Assessments, if any, due to the City of Klamath Falls for water use.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
4. **Reservations as contained in Deed recorded February 10, 1944 in Volume 162, page 225, Deed Records of Klamath County, Oregon, to wit:**
"The right to enter upon and construct irrigation ditches and divert irrigation water through lands hereinbefore described is hereby reserved, also the right to construct and maintain ditches and pipes for domestic water."
5. An easement for sewer and incidentals including the right of ingress and egress as conveyed to South Suburban Sanitary District by instrument dated July 9, 1971 and recorded in Volume M71, page 7248, and as conveyed to Homer L. Koertje, et ux, by instrument dated January 26, 1972 and recorded in Volume M72, page 1371, Microfilm Records of Klamath County, Oregon. (Affects Parcel 2)

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.

this 9th day of May A. D. 1980 at 2:59 o'clock P. M., in

Book recorded in Vol. M80, of Deeds on Page 8566

Wm D. MILNE, County Clerk

By Bernetha Helich

Fec \$7.00