

1-1-74

88472

WARRANTY DEED

1780 Page 15577

KNOW ALL MEN BY THESE PRESENTS, That James H. Patton, Wayne N. Horton and Shirley Y. Horton

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Peter Janelli, Jr. and Eva Janelli, 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: SE $\frac{1}{4}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 22, Township 39 South, Range 9 E.W.M.,

SAVING AND EXCEPTING THEREFROM the right of way of the Modoc Northern Railway and the F31 Lateral.

ALSO SAVING AND EXCEPTING all that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  lying East of the Railroad right of way.

ALSO SAVING AND EXCEPTING beginning at the intersection of the Westerly line of the Central Pacific Railway Co.; right of way and the section line common to Sections 22 and 27, Township 39 S., Range 9 E.W.M., in Klamath County, Oregon, being 3444 feet, more or less, East of the section corner common to Sections 21, 22, 27 and 28 Township 39 S., Range 9 E.W.M.; thence North 33°16' West 1636 feet, more or less, and parallel to the (for continuation of this legal description see reverse side of this

(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 noted of record as of the date of this deed and 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 \$ 30,800.00

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the~~ consideration (indicate which).<sup>Ⓢ</sup> (The sentence between the symbols<sup>Ⓢ</sup>, 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 5<sup>th</sup> day of March, 1976; 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)

James H. Patton  
Wayne N. Horton - Shirley Y. Horton

STATE OF OREGON, )  
County of Klamath ) ss.  
March 5, 1976.

STATE OF OREGON, County of ) ss.  
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Personally appeared the above named James H. Patton, Wayne N. Horton, Shirley Y. Horton

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

Before me:  
(OFFICIAL SEAL) Margaret E. Looney  
Notary Public for Oregon  
My commission expires: 3-19-77

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:

Notary Public for Oregon  
My commission expires:

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Belmont Land Bank  
P.O. Box 148  
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,

County of ) ss.

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  
RECORDER'S USE

Central Pacific Railway Company right of way to the North line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 22; thence Westerly on the last said North line 98.02 feet to a point; thence South 33°16' East 1636 feet, more or less, and parallel to the right of way of the said Central Pacific Railway to the section line common to said Sections 22 and 27; thence Easterly along the section line common to said Sections 22 and 27, 98.02 feet, more or less, to the point of beginning, containing 3.00 acres, more or less.

Subject, however, to the following:

1. Taxes for 1975-76 are unpaid in the amount of \$638.95 (Code 30-3909-2200-1000) Taxes for 1974-75 are unpaid in the amount of \$620.73.
2. Acreage and use limitations under provisions of United States Statutes and regulations issued thereunder.
3. Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, and water and irrigation rights in connection therewith.
4. Rights of the public in any portion of the herein described premises lying within the limits of any road or highway and any rights of way for utilities.
5. Contract of Sale, including the terms and provisions thereof, by and between H. Richard Maguire, vendor and Wayne N. Horton, James H. Patton and Terry D. Koon, as tenants in common each to an undivided one-third interest as vendees, dated April 6, 1972, recorded April 13, 1972, in Volume M72, page 3912, Microfilm records of Klamath County, Oregon. An undivided one-third interest of Vendee Terry D. Koon was assigned to Wayne N. Horton and James H. Patton by instrument dated February 4, 1976. By Bargain and Sale Deed dated February 4, 1976 Wayne N. Horton deeded to Wayne N. Horton and Shirley Y. Horton, husband and wife.
6. Financing Statement No. 89856, including the terms and provisions thereof, executed by Peter Janelli, Jr. and Faye Janelli, husband and wife, Debtors, and Klamath Production Credit Association, Secured Party, filed June 12, 1974, Microfilm Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Co.

this 18th day of August A. D. 1980 at 3:26 clock P. M., or  
 duly recorded in Vol. M80, of Deeds on Page 15577

Wm D. MILNE, County Clerk

Fee \$7.00

By Bernice A. Hetch