

31984

WARRANTY DEED

Vol. 78 Page 21214

KNOW ALL MEN BY THESE PRESENTS, That James W. Wesley and Susan Jane Wesley, Husband and Wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Herbert E. Farley Jr. and Leila J. Farley, 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:

SEE LEGAL DESCRIPTION AS IT APPEARS ON THE REVERSE OF THIS DEED

MOUNTAIN TITLE COMPANY

(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 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 \$ 25,000.00. 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) (The sentence between the symbols 0, 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 31st day of October, 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.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Klamath, ss. October 31, 1980

STATE OF OREGON, County of Klamath, ss. Personally appeared James W. Wesley and Susan Jane Wesley, 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 James W. Wesley and Susan Jane Wesley, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me, 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.

(OFFICIAL SEAL) Notary Public for Oregon My commission expires: My Commission Expires July 13, 1981

(OFFICIAL SEAL) Notary Public for Oregon My commission expires:

James W. Wesley and Susan Jane Wesley GRANTOR'S NAME AND ADDRESS Herbert E. Farley and Leila J. Farley 369 Del Norte Lane Klamath Falls Oregon 97601 GRANTEE'S NAME AND ADDRESS After recording return to MTC NAME, ADDRESS, ZIP Until a change is requested all tax statements shall be sent to the following address: as above NAME, ADDRESS, ZIP

STATE OF OREGON, County of Klamath, ss. I certify that the within instrument was received for record on the day of 1980, 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

DEEDS

DESCRIPTION

21215

The East 330 feet of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, TOGETHER WITH an easement over the West 30 feet of the East 90 feet over the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ running from the North right of way line of Del Fatti Road to the South line of the hereinabove described property for ingress and egress purposes. EXCEPTING THEREFROM a 60 foot strip of land along the Easterly line heretofore deeded to Reclamation Service for ditch purposes. ALSO TOGETHER WITH an easement, 10 feet in width and parallel to the West line of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, said easement to run from the K.I.D. C-4R Lateral to the South line of the N $\frac{1}{2}$ of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 29, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, for irrigation purposes.

SUBJECT TO:

Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last ten (10) or lesser number of years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.

1. The premises herein described are within and subject to the statutory powers, including the power of assessment of Klamath Irrigation District.

2. The premises herein described are within and subject to the statutory powers, including the power of assessment of Klamath Basin Improvement District.

3. An easement created by instrument, including the terms and provisions thereof, recorded June 19, 1906 in Volume 20, page 577.

4. An easement created by instrument, including the terms and provisions thereof, Recorded: April 9, 1918
Volume: 49, page 112, Records of Klamath County, Oregon
In favor of: Colonial Realty Co.
For: Irrigation Ditch over SW $\frac{1}{4}$ NE $\frac{1}{4}$.

5. An easement created by instrument, including the terms and provisions thereof, recorded November 3, 1944 in Volume 170, page 324, Records of Klamath County, Oregon.

6. Subject to the terms and provisions of that certain instrument recorded July 24, 1970 in Volume M70, page 6187, as "Notice to Persons Intending to Plat Lands within the Klamath Basin Improvement District."

STATE OF OREGON; COUNTY OF KLAMATH;

Recorded for record at request of Mountain Title Co.

this 31st day of October A. D. 1980 at 4:16 clock P. M., and

fully recorded in Vol. M80, of Deeds on Page 21214

Wm D. MILNE, County Clerk

By Deborah A. Ketch

Fee \$7.00