

K-34481

99030

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That S. RUSH COFFIN

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by REX H. ERVIN and BEVERLY ERVIN, 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 attached Exhibit "A".

(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

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 \$335,000.00. ~~However, the actual consideration consists of an interest in other property of value \$335,000.00, which is hereby included in 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 1st day of May, 1981; 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)

S. RUSH COFFIN

STATE OF OREGON, }
County of Klamath } ss.
May 1, 1981

STATE OF OREGON, County of _____) ss.
_____, 19____

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 _____

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 be-
half 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:

(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires:

and acknowledged the foregoing instru-
ment to be his voluntary act and deed.

Before me:

NOTARY PUBLIC
STATE OF OREGON
My commission expires:

S. RUSH COFFIN
Rt. 1, Box 660-F
Klamath Falls, OR 97601
GRANTOR'S NAME AND ADDRESS

REX H. ERVIN and BEVERLY ERVIN
110 North 6th, Suite 206
Klamath Falls, OR 97601
GRANTEE'S NAME AND ADDRESS

After recording return to:

STEVEN A. ZAMSKY, P.C.
110 North 6th, Suite 207
Klamath Falls, OR 97601
NAME, ADDRESS, ZIP

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

REX H. ERVIN and BEVERLY ERVIN
110 North 6th, Suite 206
Klamath Falls, OR 97601
NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____) ss.

I certify that the within instru-
ment was received for record on the
_____ day of _____, 19____,
at _____ o'clock _____ M., and recorded
in book/reel/volume No. _____ on
page _____ or as document/tee/file/
instrument/microfilm No. _____
Record of Deeds of said county.

Witness my hand and seal of
County affixed.

NAME

TITLE

By _____ Deputy

SPACE RESERVED
FOR
RECORDER'S USE

EXHIBIT "A" TO WARRANTY DEED

SEL/4 NE1/4; all of the NE1/4 SEL/4 except that portion lying Southwesterly of the right of way of the Great Northern Railway; and Lots 8 and 9; all in Section 17, Township 40 South, Range 10 E.W.M.

SAVING AND EXCEPTING those portions conveyed to the United States of America by Vol. 37, page 401, and Vol. 45, page 233, Deed Records of Klamath County, Oregon.

ALSO SAVING AND EXCEPTING those portions conveyed to the Great Northern Railway by Vol. 95, page 346, and Vol. 95, 352, Deed Records of Klamath County, Oregon.

SUBJECT TO an easement reserved unto Grantor and Grantor's heirs, successors and assigns, which easement is in gross, of a strip of land which is 60 feet in width, the north boundary of which is contiguous with the north boundary of the property above described lying east of Hill Road for purposes of ingress and egress to the property lying immediately east of the property above described, for all purposes whatsoever; provided, however, that at such time as Grantor or Grantor's heirs, successors or assigns improve such easement, Grantor or Grantor's heirs, successors or assigns shall cause to be placed a fence line along the south side of such easement sufficient to prevent cattle from escaping from Grantee's premises.

ALSO SUBJECT TO:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. Taxes for the year 1980-81, and possibly prior years have been deferred pursuant to ORS 308.370 to 308.403. These, plus earned interest are due and payable when said reason for the deferment no longer exist.

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, water and irrigation rights in connection therewith.

4. Rules, regulations and assessments of Klamath Basin Improvement District.

5. Agreement relative to furnishing water, including the terms and provisions thereof, between George M. Rudolph and Ethel J. Rudolph, husband and wife, and United States of America, dated December 26, 1931, recorded January 14, 1932, in Deed Vol. 96, page 522, records of Klamath County, Oregon.

6. Right of Way for transmission line, including the terms and provisions thereof, given by C. M. Boman and Dora Boman, husband and wife, to The California Oregon Power Company, dated August 17, 1939, recorded September 26, 1939, in Volume 124, page 488, Deed records of Klamath County, Oregon.

7. Right of Way for transmission line, including the terms and provisions thereof, given by E. G. Argraves to The California Oregon Power Company, dated July 24, 1933, recorded August 10, 1933, in Volume 101, page 330, Deed records of Klamath County, Oregon.

STATE OF OREGON,)
County of Klamath)

Filed for record at request of

Exhibit "A" to Warranty Deed

on this 1st day of May A.D. 19 81
at 3:11 o'clock P.M. and duly
recorded in Vol. MS1 of Deeds

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EVELYN BROWN, County Clerk

By Debra A. Gandy Deputy

Fee \$7.00