

1-1-74

205

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That

MARIE M. LYON

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Dennis V. Holl and Katherine Holl, 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

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 \$114,000.00.

~~However, the actual consideration consists of or includes other property or value than is promised hereby.~~  
 The consideration (indicate which) (The sentence between the symbols ①, 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 29th 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)

STATE OF OREGON, )  
County of Klamath ) ss.  
May 29, 1981

Personally appeared the above named

MARIE M. LYON

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

Before me

(OFFICIAL  
SEAL)

Notary Public for Oregon

OF My commission expires: 12/16/83

STATE OF OREGON, County of ) ss.  
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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 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:

Marie M. Lyon  
Star Route Box 1128  
Malin, Oregon 97632

GRANTOR'S NAME AND ADDRESS

Dennis V. and Katherine Holl  
P. O. Box 84  
Merrill, OR 97633

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.

Dennis V. and Katherine Holl

P.O. Box 84  
Merrill, OR 97633

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/fee/volume No. on  
page or as document/fee/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

A parcel of land situated in Section 4 and Section 5, T41S, R11E W.M. more particularly described as follows:

Beginning at the Northwest corner of said Section 4, thence S89 deg. 41'29"E along the North line of said Section 4 1330.22 feet to a 5/8" pin marking the Northeast corner of the Northwest one-quarter of the Northwest one-quarter of said Section 4, thence south along the East line of the said Northwest one-quarter of the Northwest one-quarter of said Section 4, 28.26 feet more or less to the centerline of an existing irrigation ditch thence Westerly, Southerly and Northwesterly along the centerline of said irrigation ditch the following twenty-eight bearings and distances: N79 deg. 10'00"W 21.14 feet, S88 deg. 11'51"W 244.80 feet, S70 deg. 31'56"W 41.05 feet, S19 deg. 09'39"W 53.17 feet, S03 deg. 57'19"W 157.00 feet, S08 deg. 58'36"W 95.04 feet, S12 deg. 02'46"W 184.67 feet, S05 deg. 58'47"W 119.32 feet, S09 deg. 59'59"W 200.35 feet, S14 deg. 28'44"W 83.51 feet, S26 deg. 40'23"W 30.85 feet, S54 deg. 59'55"W 74.65 feet, S87 deg. 33'14"W 72.87 feet, N79 deg. 18'30"W 237.54 feet, S83 deg. 18'50"W 212.75 feet, N84 deg. 48'46"W 207.72 feet, S86 deg. 13'29"W 75.78 feet, N87 deg. 19'34"W 85.95 feet, N68 deg. 10'07"W 123.78 feet, N63 deg. 40'52"W 289.47 feet, N21 deg. 20'05"W 70.45 feet, N27 deg. 55'15"W 51.79 feet, N37 deg. 30'35"W 117.87 feet, N50 deg. 40'51"W 178.45 feet, N40 deg. 01'42"W 218.59 feet, N45 deg. 59'58"W 75.00 feet, N60 deg. 31'46"W 86.28 feet, N53 deg. 44'25"W 254.49 feet, N47 deg. 08'25"W 44.43 feet to a point that is located 30' Southerly, measured at right angles, from the North line of said Section 5, thence S89 deg. 53'10"W parallel to and 30' Southerly, measured at right angles, to the North line of said Section 5, 127.17 feet to the West line of the Northeast one-quarter of the Northeast one-quarter of said Section 5, thence N00 deg. 01'10"W along the West line of the said Northeast one-quarter of the Northeast one-quarter of said Section 5, 30.00 feet to the North line of said Section 5, thence N89 deg. 53'10"E along the North line of said Section 5, 1323.24 feet to the point of beginning; and the East one-half of the East one-half of the West one-half of the Southwest one-quarter of Section 33 T40S R11E W.M. containing 57.38 acres more or less.

## SUBJECT TO:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farmland. Taxes for the year 1979-80 and possibly prior years have been deferred pursuant to ORS 308.370 to 308.03. these, plus earned interest are due and payable when said reason for the deferment no longer exists.

2. Rules, regulations, liens, assessments, contracts, rights of way, easements and any and all obligations created or imposed upon or affecting said premises by the Klamath Basin Improvement District.

3. Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads or highways.

4. Water Contract, including the terms and provisions thereof, between the United States of America and W. H. Hadley et ux., dated June 17, 1931, recorded June 23, 1931, in Deed Volume 95, page 483, records of Klamath County, Oregon.

5. Agreement relative to Irrigation pump and ditches, including

the terms and provisions thereof, between Donald F. Hubbell and Hazel J. Hubbell and Frank Hadley, dated March 13, 1941, recorded April 4, 1942, in Deed Volume 146, page 401, records of Klamath County, Oregon.

6. Easement for transmission line, including the terms and provisions thereof, given by Bernace Wilson and Helen Wilson, husband and wife, to The California Oregon Power Company, a California corporation, dated March 25, 1957, recorded March 29, 1957, in Deed Volume 290 page 521, records of Klamath County, Oregon.

7. Easement for drain ditch, including the terms and provisions thereof, given by Rodney Lyon and Marie Lyon, husband and wife, to Klamath Basin Improvement District dated September 5, 1973, recorded September 11, 1973, in Deed Volume M-73 page 12218, records of Klamath County, Oregon.

Also subject to an easement 30 feet in width, measured at right angles for purposes of ingress and egress lying Northerly, Northeasterly and Westerly of the following described line, beginning at a point on the West line of the Northeast one-quarter of the Northeast one-quarter of said Section 5, from which the Northwest corner of said Northeast one-quarter of the Northeast one-quarter of Section 5 bears N00 deg. 01'10"W 30.00 feet, thence from said point of beginning N89 deg. 53'10"E 127.17 feet East, thence S47 deg. 08'25"E 44.43 feet, thence S53 deg. 44'25"E 254.49 feet, thence S60 deg. 31'46"E 86.28 feet, thence S45 deg. 59'58"E 75.00 feet, thence S40 deg. 01'42"E 218.59 feet, thence S50 deg. 40'51"E 178.45 feet, thence S37 deg. 30'35"E 117.87 feet, thence S27 deg. 55'15"E 51.79 feet, thence S21 deg. 20'05"E 70.45 feet, thence S63 deg. 40'52"E 289.47 feet, thence S68 deg. 10'07"E 123.78 feet, thence S87 deg. 19'34"E 85.95 feet, thence N86 deg. 13'29"E 75.78 feet, thence S84 deg. 48'46"E 207.72 feet, thence N83 deg. 18'50"E 212.75 feet, thence S79 deg. 18'30"E 237.54 feet, thence N87 deg. 33'14"E 72.87 feet, thence N54 deg. 59'55"E 74.65 feet, thence N26 deg. 40'23"E 30.85 feet, thence N14 deg. 28'44"E 83.51 feet, thence N09 deg. 59'59"E 200.35 feet, thence N05 deg. 58'47"E 119.32 feet, thence N12 deg. 02'46"E 184.67 feet, thence N08 deg. 58'36"E 95.04 feet, thence N03 deg. 57'19"E 157.00 feet, thence N19 deg. 09'39"E 53.17 feet, thence N70 deg. 31'56"E 41.05 feet, thence N88 deg. 11'51"E 244.80 feet, thence S79 deg. 10'00"E 21.14 feet to a point on the East line of the Northwest one-quarter of the Northwest one-quarter of said Section 4 said point being further described as being located South 28.26 feet from the Northeast corner of the said Northwest one-quarter of the Northwest one-quarter of said Section 4.

Also subject to easements and right of ways of record and those apparent upon the land.

STATE OF OREGON,  
County of Klamath )  
Filed for record at request of

on this 1st day of June A.D. 19 81  
at 11:33 o'clock A M, and duly  
recorded in Vol. M81 of Deeds  
page 9687

EVELYN BIEHN, County Clerk

By Debra A. Gagnier Deputy

Fee \$10.50