

## MOUNTAIN TITLE COMPANY

19108

WARRANTY DEED

MTC 4468 Page 279

KNOW ALL MEN BY THESE PRESENTS, That ROY C. PHILLIPS and ELEANOR D. PHILLIPS, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by NEWPORT PROPERTY ACQUISITIONS, INC., a California Corporation, 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:

The S $\frac{1}{2}$  of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 24, Township 35 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM all subsurface rights, except water, as reserved in instrument recorded September 5, 1956, in Volume 286, page 351, Deed Records of Klamath County, Oregon.

- 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 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 \$15,000.00. ~~However, the actual consideration consists of or includes other property or value given or promised which is a 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 3rd day of January, 1983; 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,

STATE OF OREGON, NEVADA } ss.  
County of Douglas }  
January 3, 1983

Personally appeared the above named ROY C. PHILLIPS and ELEANOR D. PHILLIPS, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

For me: Rosalind M. Channing  
Notary Public for Oregon NEVADA  
My commission expires: 12-6-84

ROY C. PHILLIPS

Eleanor D. Phillips  
ELEANOR D. PHILLIPS

STATE OF OREGON, County of ss.  
January 3, 1983

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:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

Mr. & Mrs. Roy C. Phillips  
P.O. Box 2437  
Gardnerville, NV 89410  
GRANTOR'S NAME AND ADDRESS

Newport Property Acquisitions, Inc.  
610 Newport Center Drive #550  
Newport Beach, CA 92660  
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,

County of

I certify that the within instrument was received for record on the day of 1983, 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.

SPACE RESERVED FOR RECORDER'S USE

By

Recording Officer  
Deputy

MOUNTAIN TITLE COMPANY

SUBJECT TO:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads, or highways.
2. Reservations, restrictions, and easements, including the terms and provisions thereof, as reserved in instrument recorded September 5, 1956, in Volume 286, page 351, Deed Records of Klamath County, Oregon, the United State of America, Department of the Interior, acting by and through the Area Director of the Portland Area Office of the Bureau of Indian Affairs to Larry Gienger and Elvine Gienger, to wit:

"Title to the above described property is conveyed subject to any existing easements for public roads and highways, for public utilities and for railroads and pipe lines and any other easements or rights of way of record. All subsurface rights, except water are hereby reserved in trust for the heirs of Able Walker, deceased Klamath Allottee No. 721." (Affects S1/2SW1/4 of Section 24 and the NW1/4 of Section 25, Township 35 South, Range 10 East of the Willamette Meridian.)

3. Subject to reservations, restrictions, and easements as contained in instrument recorded June 21, 1982, in Volume M82, page 7859, Microfilm Records of Klamath County, Oregon, Jack F. Simington and Erlene G. Simington, husband and wife, as Grantors and Ben J. Staley and Jacqueline M. Staley, husband and wife, and Roy C. Phillips and Eleanor D. Phillips, husband and wife, as Grantees, to wit:

"All rights of way for roads, ditches, canals, and conduits, if any, of the above there may be; reservation of easement for private road 30' wide running North and South along the common boundary between the East half and the West half of the above described real property; reservation of subsurface rights, except water, in trust for the heirs of Able Walker; and the rights of way and easements of record and apparent thereon."

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record

this 6 day of Jan A.D. 19 83 at 3:09 o'clock P.M., and  
duly recorded in Vol. M83, of Deeds on Page 279

Fee \$8.00

EVELYN BIEHN, County Clerk

By *Joyce M. Biehn*