

for the consideration hereinafter stated to the grantor paid by **MARK J. MACFARLANE and MARY J. BERRY**, hereinafter called the grantor, hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of said grantees, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of **Klamath**, State of Oregon, to-wit:

Lot 6 in Block 1, TRACT 1118, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

ALSO that portion of Lot 3, described as follows:

Beginning at the Southeast corner of Lot 3; thence North 89° 55' 37" West, 355.35 feet; thence North 50° 06' 19" West, 706.16 feet to the Southwest corner of Lot 6 of said Block 1; thence East 89° 43' feet to the Northeast corner of said Lot 3; thence South 453.37 feet to the Point of Beginning.

SUBJECT, however, to the following:

1. The rights of the public in and to that portion of the premises herein described (Description continued on reverse) **TO HAVE AND TO HOLD** the above described, and granted premises unto the said grantees, their assigns and the heirs of such survivor, forever, provided that the grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.
- And the grantor above named hereby covenants to and with the above named grantees, their heirs and assigns, that grantor is lawfully seized in fee simple of said premises, that same are 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.

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 **\$11,660.00**.

However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 **1** day of **April**, 1977; 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, } ss.
County of _____, 19____

STATE OF OREGON, County of **Klamath** } ss.
April 1, 1977
Personally appeared **Henry Wolff** and **Gerald Wolff**

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 **Henry and Gerald Wolff Ranch, Inc.**

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 _____

Before me: **John A. Kalta**
Notary Public for Oregon
My commission expires: **July 16, 1980**

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Mark MacFarland & Mary Berry
P.O. Box 527
Chiloquin, OR 97624

NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.
County of _____

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book _____ or page _____ or as file/reel number _____.

Record of Deeds of said county.

Witness my hand and seal of County affixed.

By _____ Recording Officer
Deputy

1012872

(Description Continued)

- lying within the limits of existing roads.
2. Recitals as contained in Land Status Reports recorded December 15, 1958 in Volume 307, page 481, Deed Records of Klamath County, Oregon, recorded January 18, 1959 in Volume 308, page 529, Deed Records of Klamath County, Oregon, to wit: 19, 1959 in Volume 308, page 699, Deed Records of Klamath County, Oregon, to wit:
- "The above described property is subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record; and there is hereby reserved any and all roads, trails, telephone lines, ect., actually constructed by the United States, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr., January 13, 1916, 44 L.D. 513)"
3. Right-of-way for pole and wire lines and other facilities for the transmission and distribution of electricity and incidentals, 15 feet wide, as conveyed to The California Oregon Power Company by deeds recorded November 9, 1961 in Volume 333, page 561, Deed Records of Klamath County, Oregon, and in Volume 333, page 563, Deed Records of Klamath County, Oregon. (General Location)
4. Recital in the deed from the United States of America recorded April 23, 1976 in Volume M76, Page 6028, Microfilm Records of Klamath County, Oregon, 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 for any other easements or rights-of-way of record."
5. Covenants, Conditions, Restrictions and Easements, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms and provisions thereof, recorded July 1, 1976 in Volume M76, page 10037, Microfilm Records of Klamath County, Oregon, as follows:
- "(1) Reserving to Henry Wolff, Gerald Wolff, Gerry Warren Wolff and Eric Wolff, hunting and fishing rights on the above described real property;
- (2) Reserving a right of ingress and egress upon and across the above-described property for the purposes of keeping and maintaining the irrigation ditches located on said real property, and construction of same.
- (3) Reserving to Henry and Gerald Wolff Ranch, Inc. one-half of all mineral rights located on said property.
6. An easement, including the terms and provisions thereof, for road purposes, as shown on dedicated plat. (Affects Easterly 60 feet of Lot 6 and Easterly 60 feet and Southerly 60 feet of Lot 3.)

STATE OF OREGON, County of Klamath
Gerald Wolff
Personally appeared
Gerald Wolff
who being duly sworn,
deposes and says that the foregoing is the true and correct copy of the instrument recorded in the office of the County Clerk of Klamath County, Oregon, on the 3 day of August, 1983, and that the said instrument is a true and correct copy of the instrument recorded in the office of the County Clerk of Klamath County, Oregon, on the 3 day of August, 1983, and that the said instrument is a true and correct copy of the instrument recorded in the office of the County Clerk of Klamath County, Oregon, on the 3 day of August, 1983.

Notary Public for Oregon
My commission expires 12/31/85

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

on this 3 day of Aug A.D. 19 83
at 8:34 o'clock A M. and duly
recorded in Vol. M83 of deeds
page 12771
EVELYN BIEHN, County Clerk
By [Signature] Deputy
Fee 8.00

STATE OF OREGON,
County of Klamath
I certify that the within instrument was recorded for record on the 3 day of Aug, 1983, at 8:34 o'clock A M., and recorded in book M83 of deeds at page 12771.
Record of Deeds of said county.
Witness my hand and seal of County Clerk.

Recording Officer
Deputy