

MTC 12744-L

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That CARSON P. MERKLEY and ELIZABETH M. MERKLEY, hereinafter called the Grantor, for the consideration hereinafter stated to the grantor paid by MICHAEL G. O'BRIEN and CAROL L. O'BRIEN, husband and wife, as tenants by the entirety to an undivided 1/2 interest and CREIGHTON E. BAILEY and JEANNETTE L. BAILEY, husband and wife, as tenants by the entirety to an undivided 1/2 interest, all not as tenants in common but with the right of survivorship, hereinafter called the Grantees, does hereby grant, bargain, sell and convey unto the grantees, their heirs and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

PARCEL 1:

Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

Section 19: The S 1/2 of the S 1/2 of the SE 1/4 of the SW 1/4 and the N 1/2 of the N 1/2 of the SW 1/4 of the SW 1/4 lying Southerly of the Southerly right of way line of the Klamath Falls-Lakeview Highway, and the S 1/2 of the S 1/2 of the SW 1/4 of the SW 1/4.

Section 30: That portion of the NW 1/4 of the NE 1/4 lying Southerly of the Southerly right of way line of the Klamath Falls-Lakeview Highway; the E 1/2 of the NW 1/4; Lots 1, 2 and 3.

EXCEPTING THEREFROM that portion conveyed to Gary A. Martin for roadway by Deed recorded August 14, 1973 in Volume M73, page 10895, Microfilm Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM that portion conveyed to Klamath County for roadway by Deeds recorded June 5, 1974 in Volume M74, page 6892, Microfilm Records of Klamath County, Oregon, in Volume M74, page 6894, Volume M74, page 6896, Volume M74, page 6898, all Microfilm Records of Klamath County, Oregon.

PARCEL 2:

All that portion of the N 1/2 of the SW 1/4 of the NE 1/4 of Section 30, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, lying West of Lenora Way, and the West 420 feet of the S 1/2 of the SW 1/4 of the NE 1/4 of said Section 30, EXCEPTING THEREFROM that certain parcel 60 feet wide as described in Deed recorded January 30, 1974 in Deed Volume M74, page 1044, Microfilm Records of Klamath County, Oregon, traversing the W 1/2 SW 1/4 NE 1/4 of said Section 30.

'83 AUG 18 PM 3 54

the right of survivorship

C.B.

MB

Subject to the following:

1. The assessment roll and the tax roll disclose that the premises herein described have been specifically assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied and in addition thereto a penalty may be levied if notice of disqualification is not timely given.

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

3. Grant of Right of Way, including the terms and provisions thereof,

Dated: August 20, 1958

Recorded: August 22, 1958

Volume: 302, page 398, Deed Records of Klamath County, Oregon

In favor of: The California Oregon Power Company

For: Electric transmission and distribution lines

4. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.

Dated: June 16, 1978

Recorded: June 26, 1978

Volume: M78, page 13629, Microfilm Records of Klamath County, Oregon

Amount: \$17,000.00

Mortgagor: Carson P. Merkley and Elizabeth P. Merkley, husband and wife

Mortgagee: The Federal Land Bank of Spokane

(Affects Parcel 1 and other property)

5. Right of Way Easement, including the terms and provisions thereof,

Dated: April 11, 1980

Recorded: May 19, 1980

Volume: M80, page 9451, Microfilm Records of Klamath County, Oregon

In favor of: Pacific Power and Light Company

For: Electric transmission and distribution line

(Affects Parcel 2)

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety as between husband and wives, and tenants in common together, their heirs and assigns forever.

And Grantor hereby covenants to and with grantees and their heirs and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except those assumed by Grantee above and those imposed by the Grantee and that Grantor will warrant and for ever 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 \$160,000.00. 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 18 day of August, 1983.

Carson P. Merkley
CARSON P. MERKLEY

Elizabeth M. Merkley
ELIZABETH M. MERKLEY

STATE OF OREGON)
County of Klamath) ss.
August 18, 1983.

Personally appeared the above named Carson P. Merkley and Elizabeth M. Merkley and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Anna Stelle
NOTARY PUBLIC for Oregon
My Commission expires: 7/13/85

Grantor's name and address: Grantee's name and address:

Carson P. Merkley
Elizabeth M. Merkley

Michael G. O'Brien
Carol L. O'Brien
Creighton E. Bailey
Jeannette L. Bailey

After recording return to:

Mail tax statements to:

Frankie

Shawla, as above
12750 Alpin Road
Redding, Ca 96001

STATE OF OREGON)
County of Klamath) ss.

I certify that the within instrument was reserved received for record on the 18th day of August, 1983, at 3:54 o'clock for P.M., and recorded in book/reel/volume No. M83 recorder instrument/microfilm No. 27173 Record of Deeds use of said country.

Evelyn Biehn County Clerk
Name Title
By Ken Lewis Deputy

Fee \$12.00