

36666

MTC

WARRANTY DEED

13602-2

Vol. 184 Page 8097

KNOW ALL MEN BY THESE PRESENTS, That PERLA DEVELOPMENT CO., INC., an Arizona corporation, RIVERWOOD REALTY CORP., a Washington corporation, and ISAAC SHACHORY, a married man, all as tenants in common

Hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by THOMAS B. CARNAHAN and ELIZABETH A. CARNAHAN, 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:

A tract of land situated in Government Lots 20, 21, and 22 of Section 5, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:
Beginning at the Northwest corner of said Government Lot 21; thence South 01° 54' 38" West 664.38 feet to the Southwest corner of said Lot 21; thence South 89° 28' 13" East 1331.08 feet to the Southerly corner common to said Lots 21 and 22; thence along the Southerly line of said Lot 22, North 88° 56' 31" East 337.52 feet to the Southwesterly right of way line of State Highway No. 62; thence North 28° 52' 30" West along said Southwesterly right of way line, 1381.76 feet; thence South 61° 07' 30" West 1118.09 feet to the point of beginning, with bearings based on Survey No. 2694, as recorded in the office of the Klamath County Surveyor. EXCEPTING THEREFROM that portion lying with the State Highway No. 62.

MOUNTAIN TITLE COMPANY INC.

- 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

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 \$35,000.00
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 9th day of May, 1984; 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, WASH
County of KUG } ss.
May 14, 1984

Personally appeared the above named
ISAAC SHACHORY & ROBERT P. KUGLER

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

Before me:
(OFFICIAL SEAL) Barbara L. Albert
Notary Public for Oregon
My commission expires: 6-10-85

By: PERLA DEVELOPMENT CO., INC.
ISSAC SHACHORY
RIVERWOOD REALTY CORP
STATE OF OREGON, County of Klamath
May 9, 1984
Personally appeared ROBERT PERLA

and each for himself and not one for the other, said seal being duly sworn, that the foregoing is the President and that the said seal is the corporate seal of PERLA DEVELOPMENT CO., 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:
(OFFICIAL SEAL) Kristin L. Kedd
Notary Public for Oregon
My commission expires: 11/10/87

Perla Development Co., Inc., Riverwood Realty Corp., and Isaac Shachory

GRANTOR'S NAME AND ADDRESS
Thomas B. & Elizabeth A. Carnahan
5515 Sierra Court
Klamath Falls, OR 97601

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, } ss.
County of

I certify that the within instrument was received for record on the day of 1984,

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.

By: Recording Officer
Deputy

MOUNTAIN TITLE COMPANY INC.

- continued from the reverse side of this deed -

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 and right of way in Deed of Tribal Property recorded in Volume 313, page 59, Deed Records of Klamath County, Oregon, to wit:
"Right of way to Oregon State Highway Commission for Oregon State Highway No. 97 (now No. 62) approved by Oscar L. Chapman, Assistant Secretary on October 22, 1938, under the Act of March 3, 1901 (31 Stat. L. 1058-1984). Right of Way granted to Klamath County Court approved June 24, 1925, by John H. Edwards, Assistant Secretary of Interior, pursuant to the Act of March 3, 1901 (31 Stat. L. 1058-1984), subject to terms, conditions, and covenants of stipulations executed by the Klamath County Court, dated May 25, 1925. 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."
3. Limited access provisions to the State of Oregon, by and through its State Highway Commission, as disclosed by Minor Partition 68-82.
4. Subject to a perpetual non-exclusive road easement across the Southerly 30 feet of the herein described premises as disclosed by Warranty Deed recorded in Volume M79, page 14722, Microfilm Records of Klamath County, Oregon.
5. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.
Dated: March 29, 1979
Recorded: August 22, 1979
Volume: M79, page 20018, Microfilm Records of Klamath County, Oregon
Amount: \$12,325.60
Grantor: Perla Development Co., Inc., an Arizona corporation, Riverwood Realty Corp., a Washington corporation, and Isaac Shachory, a married man
Trustee: Transamerica Title Insurance Co.
Beneficiary: Edwin F. Leibold and Laurine C. Leibold, husband and wife

The Beneficiary named in the above described Trust Deed, also being the Grantor named herein, hereby agrees to hold the Grantees named herein harmless from the payments due on the Trust Deed described above and the Grantees named herein do not agree to assume and pay the above described Trust Deed.

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 16th day of May A.D., 1984 at 2:45 o'clock P M, and duly recorded in Vol M84, of Deeds on page 8097.

EVELYN BIEHN, COUNTY CLERK

by: [Signature], Deputy

Fee: \$ 8.00