

36743

MOUNTAIN TITLE COMPANY INC.

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That ARTHUR E. DERBYSHIRE and TAVOLA J. DERBYSHIRE, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by VICENT E. LEE and SUSAN A. LEE, 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:

The S 1/2 of the following described property being a portion of Government Lot 22 in Section 15, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point that is distant North 13° 11' 20" West 1539.81 feet from the quarter corner common to Section 15 and 22, said Township and Range, said point of beginning being also distant South 84° 10' 30" West, 84.00 feet from the originally located center line of main tract of the Central Pacific Railway Company at Engineer Station 4313+65.28; thence South 84° 10' 30" West, 133.00 feet to a point; thence North 5° 30' West 120.0 feet to a point; thence North 84° 10' 30" East 133.0 feet to a point; thence South 5° 30' East 120.0 feet to the point of beginning, being a part of land described in Deed recorded on page 204, Volume 56, as included in Patent Number 802338, Deed Records Number 32461, United States to the Lamm Lumber Company, recorded May 5, 1921, in the County Recorder's Office at Klamath Falls, Oregon.

MOUNTAIN TITLE COMPANY INC.

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 \$11,000.00

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 10th 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.

ARTHUR E. DERBYSHIRE

TAVOLA J. DERBYSHIRE

STATE OF OREGON, County of

Personally appeared

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

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.

Notary Public for Oregon

My commission expires: 11/16/87

Notary Public for Oregon

My commission expires:

STATE OF OREGON

County of Klamath

May 10 1984

ARTHUR E. DERBYSHIRE and TAVOLA J. DERBYSHIRE, husband and wife

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

(OFFICIAL SEAL)

(OFFICIAL SEAL)

Arthur E. & Tavola J. Derbyshire

1696 S. 3rd Lakeview, OR 97630

Vicent E. & Susan A. Lee

HC 30 Box B Chiloquin, OR 97623

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 19

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 on 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 as contained in instrument recorded in Volume 56, page 204, Records of Klamath County, Oregon, as follows:
"and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States."
3. Reservations as contained in instrument recorded in Volume 280, page 479, Records of Klamath County, Oregon, including but not limited to the following:
"EXCEPTING AND RESERVING, however, to Central Pacific Railway Company, its successors or assigns, forever, the title and and exclusive right to all of the minerals and mineral ores of every kind and character now known to exist or hereafter discovered upon, within or underlying said land or that may be produced therefrom, including, without limiting the generality of the foregoing all petroleum, oil, natural gas, and other hydrocarbon substances and products derived therefrom, together with the exclusive and perpetual right of said Central Pacific Railway Company, its successors and assigns, of ingress and egress beneath the surface of said land to explore for, extract, mine, and remove the same, and to make such use of the said land beneath the surface as is necessary or useful in connection therewith, which use may include lateral or slant drilling, boring, digging, or sinking of wells, shafts, or tunnels; provided, however that said Central Pacific Railway Company, its successors or assigns, shall not use the surface of said land in the exercise of any of said rights and shall not disturb the surface of said land or any improvements thereon or remove or impair the lateral or subjacent support of said land or any improvements thereon."
4. 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: January 4, 1979
Recorded: January 19, 1979
Volume: M79, page 1647, Microfilm Records of Klamath County, Oregon
Amount: \$13,800.00
Grantor: Jeffrey O. Vinyard and Valerie J. Vinyard, husband and wife
Trustee: Mountain Title Company
Beneficiary: Karen L. Little
Grantees herein have agreed to assume and pay the above described Trust Deed.
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: February 26, 1981
Recorded: March 3, 1981
Volume: M81, page 3636, Microfilm Records of Klamath County, Oregon
Amount: \$3,739.29
Grantor: Arthur E. Derbyshire and Tavola J. Derbyshire, husband and wife
Trustee: Mountain Title Company
Beneficiary: Jeffrey O. Vinyard

The Beneficial interest under said Trust Deed was assigned by instrument
Dated: May 8, 1981
Recorded: May 8, 1981
Volume: M81, page 8270, Microfilm Records of Klamath County, Oregon
To: Judith J. Marlatt

The Grantees named herein have hereby agreed to assume and pay the above described Trust Deed.

"This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses."

STATE OF OREGON: COUNTY OF KLAMATH:ss
I hereby certify that the within instrument was received and filed for record on the 18 day of May A.D., 1984 at 10:52 o'clock A M, and duly recorded in Vol M84, of Deeds on page 8220.

EVELYN BLEHN, COUNTY CLERK
by: [Signature], Deputy

Fee: \$8.00