

KNOW ALL MEN BY THESE PRESENTS, That CHARLES G. DUNCAN and LEONE M. DUNCAN, husband and wife, and RICK C. DUNCAN hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by MARTIN J. HICKS and MELISSA M. HICKS, 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:

SEE REVERSE

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

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 \$48,000.00

However, the actual consideration paid for this transfer, stated in terms of dollars, is \$48,000.00

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 28 day of June, 1982; 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,

County of Klamath

June 28, 1982

STATE OF OREGON, County of

ss.

Personally appeared

Personally appeared the above named CHARLES G. DUNCAN and LEONE M. DUNCAN, husband and wife, and RICK C. DUNCAN,

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 8-5-83

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

CHARLES G. & LEONE M. DUNCAN

RICK C. DUNCAN

Merrill, Oregon 97633

GRANTOR'S NAME AND ADDRESS

MARTIN J. HICKS & MELISSA M. HICKS

1945 Auburn

Klamath Falls, Oregon 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

MARTIN J. HICKS & MELISSA M. HICKS

Klamath First Federal

540 Main Street

Klamath Falls, Oregon 97601

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

MARTIN J. HICKS & MELISSA M. HICKS

1945 Auburn

Klamath Falls, Oregon 97601

STATE OF OREGON,

ss.

County of

Certify that the within instrument was received for record on the day of

at o'clock M., and recorded

in book/roll/volume No. on

page or as document/fee/file/

instrument/microfilm No.

Record of Deeds of said county.

Witness my hand and seal of

County affixed.

NAME

TITLE

By

Deputy

10981

That portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying Northeasterly of a direct line running from the Northwest corner to the Southeast corner thereof, Section 33, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon; together with easements shown on Exhibit A below. **RCD C9D < 48**

SUBJECT TO: (1) Right of Way, including the terms and provisions thereof, from J. Leland Pope and Sons, a partnership, and The California Oregon Power Company, a California Corporation, recorded May 1959, in Volume 312, Page 219, Deed Records of Klamath County, Oregon; (2) Agreement for Easement, including the terms and provisions thereof, by and between Wm. S. Fleisher and Ann Hook Fleisher, husband and wife, and Harold D. Hansen and Mary S. Hansen dated October 4, 1976, recorded March 1, 1977, in Volume M-77, Page 3588, Deed Records of Klamath County, Oregon; (3) Agreement for Easements, including the terms and provisions thereof, by and between William S. Fleisher and Ann Hook Fleisher, and Kenneth R. Kenney and June W. Kenney, dated May 6, 1980, recorded June 6, 1980, in Volume M-80, Page 10361, Deed Records of Klamath County, Oregon; (4) Joint Use Agreement, including the terms and provisions thereof, by and between Lynn R. Pope, et ux., William S. Fleisher, et ux., Charles G. Duncan, et ux., and J. Randall Pope, et ux., recorded June 17, 1980, in Volume M-80, Page 11105, Deed Records of Klamath County, Oregon; (5) Easements, as disclosed by Addendum to Contract of Sale, between Charles G. Duncan and Leone M. Duncan, and Rick C. Duncan as Seller and Cecil R. Brown and Kathlene E. Brown as Buyer, dated May 13, 1982, and recorded May 14, 1982, records of Klamath County, Oregon.

Exhibit A.

A non-exclusive easement for ingress, egress and irrigation purposes 15' in width lying along and parallel with the south line of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 28, Twp. 40 South, Range 11 E.W.M.

Also conveying to Grantees those proportionate rights that run with the land as described in JOINT USE AGREEMENT, including the terms and provisions thereof by and between Lynn R. Pope, et ux., William S. Fleisher, et ux., Charles G. Duncan, et ux., and J. Randall Pope, et ux., recorded June 17, 1980, in Vol. M-80 page 11105, Deed Records of Klamath County, Oregon.

Conveying to Grantees an easement for purposes of ingress and egress 30 feet in width lying along the easterly boundary of Grantors' property situated in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 40 South, Range 11 E.W.M.

Conveying to Grantees an easement for irrigation purposes and purposes of ingress and egress 15 feet in width lying along the Southerly boundary of Grantors' property situated in the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 28, Township 40 South, Range 11 E.W.M. extending from the Southeast corner thereof to the Pope-Fleisher ditch on the west.

Conveying to Grantees an easement for ingress and egress 15 feet in width lying along the Northerly boundary of Grantors' property situated in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 33 Twp. 40 S. R. 11 E.W.M.

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 29 day of June A.D., 19 84 at 2:34 o'clock P M. and duly recorded in Vol. M84, of Deeds on page 10980.

EVELYN BIEHN, COUNTY CLERK

by: Pam Smith, Deputy

Fee: \$ 8.00