

46659

WARRANTY DEED

Vol. M85 Page 3491

MTG-14510-1

KNOW ALL MEN BY THESE PRESENTS, That

CHARLES T. MC CARROLL and A. LAVONNE

MC CARROLL, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

CARL D. KINNEY and KERRY J. KINNEY, 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 N 1/2 of the SE 1/4 of the NW 1/4 of Section 32, Township 39 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon.
TOGETHER WITH: See non-exclusive easement described on the reverse.

"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."

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

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 \$ 8,500.00

~~ON ANY DAY OF THE MONTH OF MARCH, 1985, THE GRANTOR HEREBY RELEASES TO THE GRANTEE ALL OF THE GRANTOR'S INTEREST IN THE ABOVE DESCRIBED PROPERTY, TOGETHER WITH ALL ENCUMBRANCES THEREON, AND THE GRANTOR AGREES TO REDEEM THE SAME AT ANY TIME UPON THE GRANTOR'S DEMAND.~~
(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 7th day of March, 1985; 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.

Charles T. McCarroll
CHARLES T. MC CARROLL

(If executed by a corporation,
affix corporate seal)

STATE OF OREGON,

County of Klamath

March 7th, 1985

ss.

Personally appeared the above named
CHARLES T. MC CARROLL and A. LAVONNE
MC CARROLL, husband and wife.

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

Erin Steele
Before me:

(OFFICIAL
SEAL)

Notary Public for Oregon

My commission expires: 7/13/85

STATE OF OREGON, County of _____) ss.

Personally appeared _____, 19____

and
who, being duly sworn,
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 _____

_____, 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)

Notary Public for Oregon

My commission expires:

Charles T. McCarroll & A. Lavonne McCarroll

GRANTOR'S NAME AND ADDRESS

Carl D. Kinney & Kerry J. Kenny
C/O H.E. Litel 2818 Rustic Woods Dr.
Kingwood, Texas 77345

GRANTEE'S NAME AND ADDRESS

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 _____) ss.

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.

Recording Officer

By _____ Deputy

SUBJECT TO:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Poe Valley Improvement District.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Basin Improvement District.
4. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads, or highways.
5. An easement created by instrument, including the terms and provisions thereof,
Dated: August 5, 1979
Recorded: August 22, 1979
Volume: M79, page 19942, Microfilm Records of Klamath County, Oregon
In favor of: Max M. and Georgia Bennett
For: Perpetual non-exclusive ingress-egress easement 30.00 feet wide
6. An easement created by instrument, including the terms and provisions thereof,
Dated: September 27, 1979
Recorded: October 9, 1979
Volume: M79, page 23868, Microfilm Records of Klamath County, Oregon
In favor of: Charles T. and Anna L. McCarroll
For: A perpetual non-exclusive ingress-egress easement 30.00 feet wide

A non-exclusive easement for ingress and egress over and over across a 30 foot wide strip of land in Section 32, Township 39 South, Range 11½ East Willamette Meridian, County of Klamath, State of Oregon, being 15 feet on each side of the following described centerline.

Beginning at a point on the East boundary of the NE½SW½ Section 32 from which the center ½ corner Section 32 bears N00°12'47"W--15.00 feet; thence S89°53'23"W--398.60 feet and parallel to and 15.00 feet distance from the North boundary of the NE½SW½ Section 32 to a point of curvature, thence Southwesterly--212.04 feet along the arc of 149.99 foot radius curve to the left (the long chord bears S49°23'23"W--194.82 feet) to the point of tangency, thence S8°53'23"W--253.25 feet to a point of curvature, thence Southwesterly and Northwesterly--294.00 feet along the arc of a 114.59 foot radius curve to the right (the long chord bears S82°23'23"W--219.74 feet) to the point of tangency, thence N24°06'37"W--346.30 feet to a point of curvature, thence Northwesterly--172.78 feet along the arc of a 149.99 foot radius curve to the left (the long chord bears N57°06'37"W--163.38 feet) to the point of tangency, thence S82°53'23"W--243.10 feet and parallel to and 15.00 feet distance from the North boundary of the NE½SW½ Section 32 to the intersection of the West boundary of the NE½SW½ Section 32, the point of ending.

AND an easment for ingress and egress over a 30 foot right of way on the Northerly side of NE½SW½ Section 32, Township 39 South Range 11½ East of the Willamette Meridian, as described in Deed Volume M79 page 15172 and 15173. AND a non-exclusive easement for ingress and egress over and across a 30 foot strip along the East boundary of the SW½ NW½ and along the North 30 feet of the East boundary of the NW½SW½ Section 32 Township 39 South Range 11½ East of the Willamette Meridian.

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 8th day of March A.D., 1985 at 2:48 o'clock P M, and duly recorded in Vol. M85, of Deeds on page 3491

EVELYN BIEHN, COUNTY CLERK

by: Ann Smith, Deputy

Fee: \$ 9.00