

50278

ASPEN M-28879
WARRANTY DEED

STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR. 97204

Vol. 185 Page 9650

KNOW ALL MEN BY THESE PRESENTS, That

JOHN R. HELMS and JOAN A. HELMS, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by KEITH L. EKSTROM and NADINE C. EKSTROM, husband and wife 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 E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ (E $\frac{1}{2}$ W $\frac{1}{2}$ of Government Lot 7) of Section 21, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon. RESERVING UNTO GRANTOR: A roadway easement over the South 66 feet of the following described property for the purpose of ingress and egress: The E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ (E $\frac{1}{2}$ W $\frac{1}{2}$ of Government Lot 7) of Section 21, Township 39 South Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon. Said Easement is for the benefit of the property described below: The W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ (W $\frac{1}{2}$ W $\frac{1}{2}$ of Government Lot 7) of Section 21, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

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.

(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 Those Set out in Exhibit "A" Attached hereto

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 \$ 127,000.00. ~~However, the actual consideration consists of the property described above, which is the whole consideration (and not a part of the consideration) and the value of the property described above is \$ 127,000.00.~~

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 24 day of June, 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.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Klamath ss.
June 24, 1985

Personally appeared the above named

John R. Helms and
Joan A. Helms

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

(OFFICIAL SEAL)

Before me: *N. Addington*
Notary Public for Oregon
My commission expires: 3-22-89

John R. Helms

Joan A. Helms

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:

(OFFICIAL SEAL)

John R. Helms & Joan A. Helms

GRANTOR'S NAME AND ADDRESS

Keith L. & Nadine C. Ekstrom

GRANTEE'S NAME AND ADDRESS

Keith L. & Nadine C. Ekstrom

10909 Crystal Springs Rd.
Klamath Falls, OR 97603

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

Keith L. & Nadine C. Ekstrom

10909 Crystal Springs Rd.
Klamath Falls, OR 97603

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/reel/volume No. on page. or as document/tee/file/instrument/microfilm No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

By Deputy

EXHIBIT "A"

9651

SUBJECT TO:

1. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Project and Klamath Irrigation District.
2. Rights of the public in and to any portion of said premises lying within the limits of road and highways.
3. Rights of the public and of Governmental bodies in and to that portion of the herein described property lying below the ordinary high water mark of Lost River.
4. Easement, including the terms and provisions thereof, from C.C. Lewis, et ux., to United States of America to overflow all that portion of the above described land lying below the contour having an elevation of 4,092 feet above sea level which may hereafter be flooded by the back water of Lost River Diversion Dam of the Klamath Project, and release of damages that have accrued or may hereafter accrue, as recorded on page 36 of Volume 91, Deed Records of Klamath County, Oregon.
5. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest.
6. Subject to the rules and regulations of Fire Patrol District.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ..

this 24th day of June A. D. 1935 at 4:00 o'clock P M., and
 duly recorded in Vol. 485, of Deeds on Page 9650.

EVELYN BIEHN, County Clerk

By Pam Smith

Fee: \$9.00