

OA

51873

BARGAIN AND SALE DEED

Vol. 185 Page 12511



KNOW ALL MEN BY THESE PRESENTS, That WOODROW W. CAVE and ROBERTA E. CAVE, husband and wife, hereinafter called grantor,

for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto GEORGE W. CHIN and DANIEL G. CHIN, as tenants in common, each as to an undivided 1/2 interest hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

SEE LEGAL DESCRIPTION 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. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark to Lost River.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Project and Klamath Irrigation District.
4. Waiver of Riparian rights, including the terms and provisions thereof, from E. C. Ream to The United States, recorded September 16, 1905, in Deed Book 18, page 334, Deed Records of Klamath County, Oregon.
5. Subject to Agreement, including the terms and provisions thereof contained in Contract to sell Real Estate, from E. C. Ream, et ux, to L. B. Davison, recorded November 29, 1911, in Book 35 at page 293, Deed Records of Klamath County, Oregon, as follows: "It is agreed and understood that the irrigation canal crossing the premises herein described shall be maintained in its present condition unless it shall be changed by mutual agreement by the parties hereto." (Affects portion of said premises lying in the North 26 acres of NW 1/4 of said Section 7)
6. Acceptance of the terms and conditions of reclamation extension act by E. C. Ream, recorded November 4, 1914, in Deed Book 42 at page 604, Deed Records of Klamath County, Oregon.
7. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein, (see reverse

(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. (continued)

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 118,965.00

~~HOWEVER THE ACTUAL CONSIDERATION CONSISTS OF THE PROPERTY OF THE GRANTOR OR GRANTOR'S HEIRS, SUCCESSORS AND ASSIGNS, OR OF ANY OTHER PROPERTY, OR OF ANY OTHER CONSIDERATION (WHATEVER IT MAY BE) WHICH IS PART OF THE CONSIDERATION (WHATEVER IT MAY BE) FOR THE TRANSFER OF THE PROPERTY HEREIN DESCRIBED.~~ (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 30 day of July, 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.

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 the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON }
County of Larson City } ss.

The foregoing instrument was acknowledged before me this July 30, 1985, by

STATE OF OREGON, County of _____) ss.

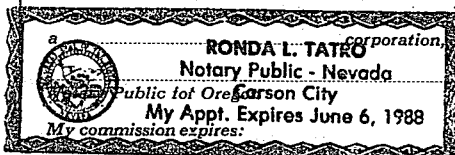
The foregoing instrument was acknowledged before me this _____, 19____, by _____, president, and by _____, secretary of _____

WOODROW W. CAVE and ROBERTA E. CAVE

Ronda L. Tatro
Notary Public for Oregon

(SEAL)

My commission expires: 4-4-88



(SEAL)

(If executed by a corporation, affix corporate seal)

Woodrow W. Cave and Roberta E. Cave
508 N. Curry Street
Carson City, NV 89701

GRANTOR'S NAME AND ADDRESS

George W. Chin and Daniel G. Chin
Route 1 Box 631
Klamath Falls, Oregon 97603

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/roll/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME TITLE

By _____ Deputy

SPACE RESERVED FOR RECORDER'S USE

85 AUG 7 PM 3 55

DESCRIPTION

12512

Beginning at a point on the west boundary of Section 7, Township 40 South, Range 10 East, Willamette Meridian, which point is $S0^{\circ}12\frac{1}{2}'E.$, 657 feet from the northwest corner of said Section 7; thence $S0^{\circ}12\frac{1}{2}'E.$, along said section line, a distance of 1634.0 feet, to a point which is $N0^{\circ}12\frac{1}{2}'W.$, 346.0 feet, from the southwest corner of the NW $\frac{1}{4}$ of said Section 7 and which point is the northwest corner of a parcel of land shown as "PARCEL TWO" in a deed from J. Clyde Griffith, et ux, to Buford M. Kaylor, et ux, recorded in Klamath County Deed Records, Volume 180, page 128; thence $S89^{\circ}54\frac{1}{2}'E.$, along the north boundary of said "PARCEL TWO", which line is parallel to the north boundary of said Section 7, a distance of 660.0 feet; thence $S0^{\circ}12\frac{1}{2}'E.$, 16.0 feet; thence $S89^{\circ}54\frac{1}{2}'E.$, 1452.0 feet; thence $N0^{\circ}12\frac{1}{2}'W.$, 1474.0 feet, more or less, to the low water mark on the west bank of Lost River; thence $N47^{\circ}39'W.$, along said low water line, 597.0 feet; thence, continuing along said low water line, $N11^{\circ}20'E.$, 440.0 feet, more or less, to the north boundary of said Section 7; thence $N89^{\circ}54\frac{1}{2}'W.$, along said section boundary, a distance of 943.0 feet, more or less, to the northeast corner of a parcel of land deeded by Karl F. Dehlinger, et ux, to Innis Roberts, et ux, and described in a deed in Klamath County Deed Records, Volume 260, page 25; thence $S17^{\circ}29\frac{1}{2}'E.$, along the east boundary of said Innis Roberts property, a distance of 682.0 feet, thence $S89^{\circ}39\frac{1}{2}'W.$, along the south boundary of said Innis Roberts property, a distance of 1019.5 feet more or less to the point of beginning, being a portion of the NW $\frac{1}{4}$ of Section 7, Township 40 South Range 10 East of the Willamette Meridian.

EXCEPTING THEREFROM a tract of land situated in the Northwest quarter of Section 7, Township 40 South, Range 10 East of the Willamette Meridian, more particularly described as follows: Beginning at a point on the West line of said Section 7, said point being South 00 $^{\circ}$ 12'30" East 657.00 feet from the Northwest corner of said Section 7, said point also being 27.8 feet, more or less, Westerly from the Easterly right of way line of the Klamath Falls-Malin State Highway as constructed, thence South 00 $^{\circ}$ 12'30" East along the West line of said Section 1645.00 feet, more or less, to the Northwest corner of a parcel of land shown as "Parcel 2" and described in Deed Volume 180 at page 128, Klamath County Deed Records, thence South 89 $^{\circ}$ 54'30" East along the North boundary of said "Parcel 2" and parallel with the North line of said Section 660.00 feet, thence South 00 $^{\circ}$ 12'30" East 16.00 feet, thence South 89 $^{\circ}$ 54'30" East parallel with the North line of said Section 86.79 feet, more or less, to the centerline of an existing irrigation ditch, thence along the centerline of said ditch the following courses and distances: North 15 $^{\circ}$ 40'23" East 452.11 feet, North 16 $^{\circ}$ 07'41" East 425.04 feet, North 01 $^{\circ}$ 50'48" East 408.69 feet, North 01 $^{\circ}$ 56'16" East 402.78 feet, North 17 $^{\circ}$ 08'30" West 9.00 feet to a 5/8 inch iron pin on the South boundary of that tract of land described in deed Volume 260 at page 25, Klamath County Deed Records, thence North 89 $^{\circ}$ 58'56" West (South 89 $^{\circ}$ 39'30" West by said deed record) 795.70 feet, thence South 89 $^{\circ}$ 39'30" West along the South boundary of that tract of land described in Deed Volume M67 at page 5054, Klamath County Deed Records, 221.50 feet to the point of beginning.

- continued from the reverse side of this deed -
Dated: November 5, 1965

Recorded: December 2, 1965, in Volume M65, page 4987, Microfilm Records of Klamath County, Oregon

Amount: \$28,500.00

Mortgagor: Woodrow W. Cave and Roberta E. Cave, husband and wife

Mortgagee: The Federal Land Bank of Spokane

Mortgage Reamortization Agreement, including the terms and provisions thereof,

Dated: May 16, 1969

Recorded: May 23, 1969

Volume: M69, page 3896, Microfilm Records of Klamath County, Oregon

Mortgagor: Woodrow W. Cave and Roberta E. Cave, husband and wife

Mortgagee: The Federal Land Bank of Spokane

The Buyers named on this Deed hereby agree to assume and pay the above described Mortgage.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of
of August

A.D., 19 85 at 3:55 o'clock P M., and duly recorded in Vol. M85
of Deeds the 7th day

FEE \$9.00

Evelyn Biehn
By

County Clerk