

54018

KNOW ALL MEN BY THESE PRESENTS, That  
Gary L. Gray

WARRANTY DEED

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by  
Harold Radtke  
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 LEGAL DESCRIPTION AS IT APPEARS  
ON THE REVERSE OF THIS DEED.

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 set forth on the attached exhibit 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 \$ 48,500.00  
However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which). (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 10th day of October, 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.  
October 1, 1985

Personally appeared the above named  
Gary L. Gray  
and acknowledged the foregoing instrument to be his voluntary act and deed.  
Notary Public for Oregon  
My commission expires: 7/14/89

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
Personally appeared \_\_\_\_\_

\_\_\_\_\_ 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:

Notary Public for Oregon  
My commission expires: \_\_\_\_\_ (OFFICIAL SEAL)

Gary L. Gray

GRANTOR'S NAME AND ADDRESS  
Harold Radtke  
C/o Geo. Hammond, 404 Pine Grove Rd.  
Klamath Falls, Oregon 97603

GRANTEE'S NAME AND ADDRESS  
After recording return to:  
Per Grantee  
NAME, ADDRESS, ZIP  
Until a change is requested all tax statements shall be sent to the following address.  
Per Grantee  
NAME, ADDRESS, ZIP

STATE OF OREGON, ) ss.  
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

SPACE RESERVED FOR RECORDER'S USE

16076

MTC 15452

16076

## DESCRIPTION SHEET

A portion of the  $W\frac{1}{2}SW\frac{1}{2}$  Section 33, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northeast corner of the  $W\frac{1}{2}W\frac{1}{2}NW\frac{1}{2}SW\frac{1}{2}$  of Section 33, Township 40 South, Range 8 East of the Willamette Meridian; thence South  $00^{\circ} 33' 03''$  West 888.42 feet to the true point of beginning of this description; thence continuing South  $00^{\circ} 33' 03''$  West 884.90 feet to a point; thence East 987.72 feet to a point on the East line of the  $SW\frac{1}{2}SW\frac{1}{2}$  of said Section 33 which point is 924.56 feet North of the Southeast corner of the  $SW\frac{1}{2}SW\frac{1}{2}$  of said Section 33; thence North  $00^{\circ} 18' 17''$  East 882.67 feet to a point; thence North  $89^{\circ} 44' 04''$  West 983.91 feet to the point of beginning.

SUBJECT TO:

16077

1. Taxes for the fiscal year 1985-1986, a lien, not yet due and payable.

2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

3. Right of way easement, including the terms and provisions thereof,

Dated: May 4, 1914

Recorded: May 4, 1914

Volume: 42, page 103, Deed Records of Klamath County, Oregon

In favor of: The California Oregon Power Company

For: Right of way

4. An easement, created by instrument, including the term and provisions thereof,

Recorded: December 15, 1973

Volume: 113, page 376, Deed Records of Klamath County, Oregon

In favor of: The Pacific Telephone and Telegraph Company, a  
California corporation

For: Poles and Anchors

5. An easement, created by instrument, including the terms and provisions thereof,

Dated: May 18, 1951

Volume: 247, page 686, Deed Records of Klamath County, Oregon

For: Transmission and distribution lines-installation of guys and anchors

6. Real Estate Contract, including the terms and provisions thereof,

Dated: November 19, 1976

Recorded: November 19, 1976

Volume: M76, page 18506, Microfilm Records of Klamath County,  
Oregon

Vendor: Patricia M. Thomas

Vendee: Dennis M. Achten and Anne S. Achten, husband and wife  
Grantee herein does not agree to assume and pay.

7. Agreement, including the terms and provisions thereof,

Dated: July 12, 1979

Recorded: July 20, 1979

Volume: M79, page 17234, Microfilm Records of Klamath County,  
Oregon

Vendor: Dennis Michael Achten and Anne S. Achten, husband and  
wife

Vendee: Kenneth R. Kelley and Mary K. Kelley, husband and wife

The Vendee's interest in said Contract assigned by instrument

Dated: December 15, 1980

Recorded: December 17, 1980

Volume: M80, page 24349, Microfilm Records of Klamath County,  
Oregon

To: Gary L. Gray SAID AGREEMENT BUYER AGREES TO ASSUME AND PAY.

8. 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: December 16, 1980

Recorded: December 17, 1980

Volume: M80, page 24350, Microfilm Records of Klamath County,  
Oregon

Amount: \$7,404.46

Grantor: Gary L. Gray

Trustee: Transamerica Title Insurance Company

Beneficiary: Kenneth P. Kelley and Mary K. Kelley, husband and  
wife

The beneficial interest under said Trust Deed was assigned by instrument

Recorded: December 16, 1983

Volume: M83, page 16056, Microfilm Records of Klamath County,  
Oregon

To: Kenneth R. Kelley

SAID TRUST DEED BUYER AGREES TO ASSUME AND PAY.

16078

9. Reservations contained in instrument recorded July 20, 1979 in Volume M79, page 17234, Microfilm Records of Klamath County, Oregon, as follows:

"reserving unto vendees a 20 ft. easement for ingress and egress over the existing road across the Northwest corner of the subject property, the centerline is more particularly described as follows: Beginning at the Northeast corner of the  $W\frac{1}{2}W\frac{1}{2}NW\frac{1}{2}SW\frac{1}{2}$  of Section 33, Township 40 South, Range 8 East of the Willamette Meridian; thence South  $00^{\circ}33'03''$  West 888.42 feet to a point to be herein called Point A; thence continuing South  $00^{\circ}33'03''$  West 80 feet to the true point of beginning; thence Northerly to a point 80 feet East of Point A."

10. The right of access to the subject property has not been determined and such rights are not insured hereunder.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
 of October A.D., 19 85 at 4:30 o'clock P M., and duly recorded in Vol. M85,  
 of Deeds on Page 16075  
 FEE \$17.00  
 By Evelyn Biehn County Clerk [Signature]