

KNOW ALL MEN BY THESE PRESENTS, That BILLIE J. MATTOX and GENEVA M. MATTOX, husband and wife, do hereby certify to this grantor and not a grantee.

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by GERALD A. SMALLEY and ELLEN M. SMALLEY, 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:

That portion of Lot 4 lying Westerly of the Klamath Falls-Malin Highway, and that portion of the Northerly 584.1 feet of Lot 3 lying Westerly of the Klamath Falls-Malin Highway, in Section 2, Township 41 South, Range 10 East of the Willamette Meridian.

"This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property 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 \$ 102,500.00

Whereof, the amount of the consideration paid for the above described premises, stated in terms of dollars, is \$ 102,500.00 (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 8th day of November, 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, } ss.
County of Klamath }
November 19, 85.

Personally appeared the above named
BILLIE J. MATTOX and GENEVA M. MATTOX

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11/12/87

STATE OF OREGON, County of _____) ss.

Personally appeared _____ 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:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

Billie J. Mattox & Geneva M. Mattox
P.O. Box 145
Merrill, OR 97633

GRANTOR'S NAME AND ADDRESS

Gerald A. Smalley & Ella M. Smalley
P.O. Box 826
Merrill, OR 97633

GRANTEE'S NAME AND ADDRESS

After recording return to:

SAME AS GRANTEE

NAME, ADDRESS, ZIP

Until a change is requested all text statements shall be sent to the following address:

SAME AS 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.

Recording Officer

By _____ Deputy

SPACE RESERVED
FOR
RECORDER'S USE

- continued from the reverse side of this deed -

22305
18330

SUBJECT TO: 1. Taxes, for the fiscal year 1985-1986, a lien, due and payable.

2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition, thereto a penalty may be levied if notice of disqualification is not timely given.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
4. Rights of the public in and to any portion of the herein described premises lying within the limits of street, roads, or highways.
5. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Lost River and the ownership of the State of Oregon in and to that portion lying below the usually high water mark thereof.
6. Reservation contained in Patents from the United States of America recorded October 31, 1890, in Volume 5, page 644 and recorded March 3, 1906, in Volume 19, page 496 all in Deed Records of Klamath County, Oregon, as follows:
"and also subject to the rights of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law."
7. Acceptance of Terms and Conditions of Reclamation Extension Act, including the terms and provisions thereof, executed by Purl R. Merrill, to United States, recorded November 11, 1914, in Volume 43, page 37, Deed Records of Klamath County, Oregon.
8. An easement created by instrument, including the terms and provisions thereof,
Dated: February 13, 1941
Recorded: April 10, 1941
Volume: 136, page 511, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company
For: Bridge pole and guy anchor

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 12th day
of November A.D., 19 85 at 4:01 o'clock P M., and duly recorded in Vol. M85
of Deeds on Page 18329

FEE \$9.00

Evelyn Biehn, County Clerk
By *[Signature]*

STATE OF OREGON
County of Klamath
I, _____
do hereby certify that the foregoing
is a true and correct copy of the
original as recorded in the
Deed Records of Klamath County,
Oregon, Volume 136, page 511.
Witness my hand and seal
this _____ day of _____
1985.