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WARRANTY DEED

Vol. M85 Page 20041

KNOW ALL MEN BY THESE PRESENTS, That

JAMES E. ROGERS and CORA B. ROGERS, husband and wife  
hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by  
BARBARA JEAN TOOLE

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:

A tract of land situated in that portion of Lots 17, 24, 25, Section 28, Township 35 South, Range 7 East of the Willamette Meridian, lying East of the The Dalles-California Highway and more particularly described as follows:

Beginning at a point located on the Easterly boundary of The Dalles-California Highway, said point being South 8°41' East a distance of 460.73 feet from the iron pin on the intersection of the North line of said Lot 17 and the Easterly boundary of said highway; thence South 89°41' East parallel with the North line of Lot 17 a distance of 250.0 feet to an iron pin; thence South 8°41' East parallel with the The Dalles-California Highway a distance of 1200 feet, more or less, to an iron pin at the Northeast corner of parcel of land described in Volume 324 page 155, Deed records of Klamath County, Oregon; thence North 89°41' West along the Northerly line of said parcel a distance of 250 feet, more or less, to an iron pin on the Easterly boundary of said highway; thence North 8°43' West along the Easterly boundary of said highway, a distance of 1200 feet, more or less, to the point of beginning.

(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

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 \$ 33,000.00

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which).~~ (The sentence between the symbols <sup>⓪</sup>, 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 1st 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.

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.

*James E. Rogers*  
JAMES E. ROGERS  
*Cora B. Rogers*  
CORA B. ROGERS

STATE OF OREGON, } ss.  
County of Klamath }  
December 10, 1985

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
\_\_\_\_\_, 19\_\_\_\_  
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.

Personally appeared the above named  
James E. Rogers and  
Cora B. Rogers  
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:  
(OFFICIAL SEAL)  
Notary Public for Oregon  
My commission expires: 8/27/87

Before me:  
(OFFICIAL SEAL)  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_  
(If executed by a corporation, affix corporate seal)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Barbara Jean Toole  
4883 Agate  
Long Beach, CA 90805  
NAME, ADDRESS, ZIP

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

Same as above

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/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/title/instrument/microfilm/reception No. \_\_\_\_\_, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME TITLE

By \_\_\_\_\_ Deputy

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SUBJECT TO:

1. Liens and assessments of Modoc Point Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
- 2) Rights of the public in and to any protion of the herein described property lying within the boundaries of public roads or highways.
- 3) Reservations contained in United States Patents.
- 4) Right of Ways, by and between James Rogers and Cora Rogers to the California Oregon Power Company, recorded May 19, 1960 in Volume 321, page 305, and recorded May 19, 1960, in Volume 321 , page 307, Deed records of Klamath County, Oregon.
- 5) Right of Way, by and between James E. Rogers and Cora B. Rogers to United States of America, recorded March 11, 1964 in Volume 351 at page 484, Deed records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 10th day  
of December 85 at 11:29 o'clock A M., and duly recorded in Vol. M85  
of Deeds on Page 20041

FEE \$9.00

Evelyn Biehn, County Clerk  
By *P. Smith*

STATE OF OREGON

County of \_\_\_\_\_  
I, \_\_\_\_\_, County Clerk,  
do hereby certify that the foregoing  
is a true and correct copy of the  
original as the same appears of record  
in the office of the County Clerk.  
Witness my hand and seal of  
County Clerk.