

21486  
M-29486

**Aspen**  
TITLE & ESCROW, INC.  
WARRANTY DEED (INDIVIDUAL)

LEO H. FOGLE, hereinafter called grantor,  
convey(s) to KENNETH E. SMITH and MAUDIE L. SMITH, husband and wife  
all that real property situated in the  
County of Klamath, State of Oregon, described as

SEE ATTACHED EXHIBIT "A"  
FOR LEGAL DESCRIPTION

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.

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.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except those set out in Exhibit "A" attached hereto

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 140,000.00 ~~THE TRUE AND ACTUAL CONSIDERATION FOR THIS TRANSFER IS \$140,000.00~~  
~~SIGNATURE OF GRANTOR OR GRANTORS OF THIS PROPERTY OR THEIR GUARANTY OR POWER OF ATTORNEY WHICH IS A PART OF THE INSTRUMENT AND IS NOT TO BE SEPARATED FROM THE INSTRUMENT. SEE OREGON 93.030~~

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument this 13 day of January,  
19 86.

Leo H. Fogle  
Leo H. Fogle

STATE OF OREGON, County of Klamath )ss.

On this 16<sup>th</sup> day of January, 19 86.

Personally appeared the above named Leo H. Fogle

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

Before me:

Darlene P. Addington  
Notary Public for Oregon  
My Commission Expires: 3-22-89

Leo H. Fogle

GRANTOR'S NAME AND ADDRESS

Kenneth E. Smith

Maudie L. Smith

GRANTEE'S NAME AND ADDRESS

After recording return to:

Kenneth E. & Maudie L. Smith

6746 Hwy 39

KFO 97603

NAME, ADDRESS, ZIP

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

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/real/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as document/fee/file/instrument/microfilm No. \_\_\_\_\_. Record of Deeds of said county. Witness my hand and seal of County affixed.

SPACE RESERVED  
FOR  
RECORDER'S USE

NAME

TITLE

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

## PARCEL 1:

A piece or parcel of land situated in the NE $\frac{1}{4}$  of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point on the East boundary of Section 24, Township 39 South, Range 9 East of the Willamette Meridian from which the iron monument marking the section corner common to Sections 13, 18, 24 and 19, Township 39 South, Range 9 and 10 East of the Willamette Meridian, bears North 85° 11' feet distant; thence along existing fences accepted as marking the Southerly boundary of that parcel of land conveyed at Page 335 of Volume 211 of the Klamath County Deed Records, South 88° 57' West 33.95 feet to an iron pipe reference monument in the existing Westerly fence along the Klamath Falls-Merrill Highway; thence South 88° 57' West 708.05 feet along the existing fence to an iron pipe; thence South 89° 10' 50" West 1241.7 feet along the existing fence to an iron pipe reference monument; thence South 89° 10' 50" West 103.3 feet more or less to the existing center line of the U.S.B.R. Dixon Drain as the same is presently located and constructed; thence leaving the Southerly boundary of said parcel conveyed at page 335 of Volume 211 of the Deed Records of Klamath County, South 41° 52' 10" West along the existing center line of said drain 688.3 feet to the center line intersection of the Dixon Drain and the A-4 lateral as the same are presently located and constructed; thence South 62.9 feet along the existing center line of the A-4 Lateral to a point; thence North 89° 05' 40" East 22.9 feet, more or less to an iron pipe reference monument; thence North 89° 05' 40" East 1084.0 feet along said existing fence to an iron pipe; thence South 2° 34' 20" West 4.2 feet along an existing fence to an iron pipe; thence North 89° 27' 20" East 197.5 feet along an existing fence to an iron pipe; thence North 89° 28' 50" East 702.0 feet to an iron pipe reference monument in the Westerly fence along said Klamath Falls-Merrill Highway; thence North 89° 28' 50" East 40.0 feet to a point on the Easterly boundary of said Section 24; thence North 1050.5 feet along said Section line to the point of beginning.

## PARCEL 2:

A piece or parcel of land situated in the NE $\frac{1}{4}$  of Section 24, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point on the East boundary of Section 24, Township 39 South, Range 9 East of the Willamette Meridian from which the iron monument marking the section corner common to Sections 13, 18, 24, and 19, Township 39 South, Range 9 and 10 East of the Willamette Meridian bears North 859.1 feet distant; thence continuing South 1050.5 feet; thence South 89° 28' 50" West 742 feet; thence South 89° 27' 20" West 197.5 feet to the true point of beginning; thence North 2° 34' 20" East 4.2 feet; thence South 89° 05' 40" West 1106.9 feet to the East right of way line of the A4 lateral; thence South 4.2 feet; thence North 89° 05' 40" East to the point of beginning.

## SUBJECT TO:

1. Rights of the public in and to any portion of the herein described premises lying within the boundaries of street, roads or highways.
2. 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 qualified for such use, the property may be subject to additional taxes or penalties and interest.
3. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District.
4. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Basin Improvement District.

Subject to the terms and provisions of that certain instrument recorded July 24, 1970 in Volume M-70 at page 6187 as "Notice to persons intending to Plat lands within the Klamath Basin Improvement District."

Subject To: (cont.)

5. An easement, including the terms and provisions thereof:  
Dated : February 10, 1967  
Recorded : February 14, 1967  
Book : M-67  
Page : 986  
In Favor of : Short Enterprises, Inc.,  
For : Road purposes over this and other property
6. An easement, including the terms and provisions thereof:  
Dated : August 5, 1970  
Recorded : August 5, 1970  
Book : M-70  
Page : 6695  
In Favor of : Klamath Irrigation District  
For : Spill ditch purposes
7. Right of way, including the terms and provisions thereof,  
To : The United States of America  
Dated : April 25, 1908  
Recorded : April 29, 1908  
Book : 24  
Page : 131
8. Subject to rules and regulations of Fire Patrol District.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
of January A D. 19 86 at 10:50 o'clock A M. and duly recorded in Vol M86 day  
of Deeds on Page 879  
By Evelyn Blehn, County Clerk  
Ran Smith

FEE \$13.00