

MYC 13224

59901

WARRANTY DEED

Vol. 1180 Page 5643

KNOW ALL MEN BY THESE PRESENTS, That ROBERT R. CLOUTIER and CAROLYN J. CLOUTIER, husband and wife, hereinafter called the Grantor, for the consideration hereinafter stated to the Grantor paid by RICHARD R. O'REILLY and CAROL ANN O'REILLY, husband and wife, an undivided one-fifth interest as tenants by the entirety; WILLIAM L. LAMB and BERTHA B. LAMB, husband and wife, an undivided one-fifth interest as tenants by the entirety; RAYMOND L. SMITH and MARY LOU SMITH, husband and wife, an undivided one-fifth interest as tenants by the entirety; RAYMOND E. COLFAX and MARY JANE COLFAX, husband and wife, an undivided one-fifth interest as tenants by the entirety; and FRED W. KOEHLER, Jr. and RUTH A. KOEHLER, husband and wife, an undivided one-fifth interest as tenants by the entirety; all dba SPRING CREEK "6.46", a partnership, hereinafter called the Grantees, does hereby grant, bargain, sell and convey unto the grantees, as Tenants in Common, without the right of survivorship, their heirs and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

All that portion of the NE 1/4 of the SE 1/4 of Section 4, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying Easterly of the centerthread of Spring Creek and Westerly of Highway No. 97.

EXCEPTING THEREFROM the South 450 feet of the North 900 feet measured perpendicular to the North line of the NE 1/4 of the SE 1/4 of said Section 4.

ALSO EXCEPTING THEREFROM that portion deeded to the State of Oregon, by deed recorded May 29, 1946 in Book 190 at page 21, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM a tract of land situated in the NE 1/4 SE 1/4 of Section 4, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the East 1/4 corner of Section 4, Township 34 South, Range 7 East of the Willamette Meridian; thence South 05 degrees 16' 30" East 169.52 feet to a 5/8" iron pin on the Westerly right of way line of Highway 97; thence South 09 degrees 46' 38" West along said right of way line 284.86 feet; thence North 89 degrees 04' West parallel to the North line of said NE 1/4 SE 1/4 600 feet, more or less to the center thread of Spring Creek; thence Northwesterly along said center thread of Spring Creek to a point that bears North 89 degrees 04' West from the point of beginning; thence South 89 degrees 04' East 780 feet, more or less to the point of beginning, with bearings based on recorded survey No. 2480, as recorded in the office of the Klamath County Surveyor.

Subject to the following:

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 any portion of the herein described premises lying below the high water mark of Spring Creek.
3. Limited access in Deed to State of Oregon, by and through its State Highway Commission, recorded May 9,

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1946 in Book 190, page 21, Deed Records, which provides that no right or easement of right of access, to from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

4. Grant of Right of Way, including the terms and provisions thereof,

Dated: December 17, 1954

Recorded: January 26, 1955

Volume: 272, page 37, Deed Records of Klamath County, Oregon

In favor of: The California Oregon Power Company  
For: Pole or tower and wire lines and other facilities

5. Right of way Easement, including the terms and provisions thereof,

Dated: February 4, 1980

Recorded: February 5, 1980

Volume: M80, page 2314, Microfilm Records of Klamath County, Oregon

In favor of: Pacific Power & Light Company  
For: Electric transmission and distribution lines, and appurtenances

6. A 15 foot easement for the existing road that accesses the highway approximately 57' north of the South boundary and then meanders through the property more-or-less parallel to the highway.

To Have and to Hold the above described and granted premises unto the said Grantees, as tenants in common, but as tenants by the entirety as between husbands and wives, without the right of survivorship, their heirs and assigns forever.

And Grantor hereby covenants to and with Grantees and their heirs and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except those assumed by Grantee above and those imposed by the Grantee and that Grantor will warrant and for ever 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 \$45,000.00. 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.

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In Witness Whereof, the grantor has executed this instrument this 1st day of FEBRUARY, 1984.

X Robert R. Cloutier  
ROBERT R. CLOUTIER

X Carolyn J. Cloutier by Robert R. Cloutier  
CAROLYN J. CLOUTIER attorney-in-fact

Call n.p.  
STATE OF ~~OREGON~~ HAWAII )  
County of ~~Klamath~~ HONOLULU ) ss.

February 1, 1984.

Personally appeared the above named Robert R. Cloutier and Carolyn J. Cloutier and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Call n.p.

Carol A. Keyal  
NOTARY PUBLIC for ~~Oregon~~ HAWAII  
My Commission expires: 9/9/84

Grantor's name and address: Grantee's name and address:

Robert R. Cloutier  
Carolyn J. Cloutier

Spring Creek "6.46"  
P.O. Box 332  
Chiloquin, OR 97624

After recording return to:

Mail tax statements to:

Spring Creek "6.46"

Spring Creek "6.46"

P.O. Box 332  
Chiloquin, OR 97624

P.O. Box 332  
Chiloquin, OR 97624

STATE OF OREGON )  
County of Klamath ) ss.

I certify that the within instrument was received for record on the 7th day of April, 1986, at 11:09 o'clock A.M., and recorded in book/reel/volume No. M86 on page 5643 or as document/fee/file/ instrument/microfilm No. 59901 Record of Deeds of said county.

Evelyn Biehn, Klamath County Clerk

Name Title

By

[Signature]

Fee: \$18.00