

KNOW ALL MEN BY THESE PRESENTS, That DAVID S. BREWER and JOAN L. BREWER, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by RICHARD A. SMITH and J. ANN SMITH, 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:

Government Lots 19 and 22, and that portion of Lot 14 lying South of the Sprague River Highway in Section 13, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

"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 \$ 50,000.00

However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration and indicate which is (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 9th day of April, 1986; 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

April 9, 1986

Personally appeared the above named DAVID S. BREWER and JOAN L. BREWER,

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

(OFFICIAL SEAL)

Before me: Kristi L. Redd

Notary Public for Oregon

My commission expires: 11/16/87

STATE OF OREGON, County of

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:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

David S. Brewer & Joan L. Brewer
1515 Arthur St. #3 / 412 Mt. Whitney
R. Falls, OR 97601 / Klamath Falls, OR 97601

GRANTOR'S NAME AND ADDRESS

Richard A. Smith & J. Ann Smith
NC 63 Box 860
Sprague River, OR 97639

GRANTEE'S NAME AND ADDRESS

After recording return to:

SAME AS GRANTEE

NAME, ADDRESS, ZIP

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

SAME AS GRANTEE

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of

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

- continued from the reverse side of this deed -

SUBJECT TO:

1. Power Line Easements granted to California Oregon Power Company by instruments recorded in Deed Books as follows: Book 105, page 110; Book 124, page 245; Book 166, page 363, Book 80, page 433, all Records of Klamath County, Oregon.
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. Rights of way, granted to Klamath County by a deed dated March 20, 1929, recorded April 23, 1929, in Book 85 at page 616, Deed Records of Klamath County, Oregon, said right of way being a strip of land 60 feet in width and 30 feet on each side of the center line of the Sprague River Highway as surveyed over Lots 12, 13, and 14 of Section 13, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.
4. A 60 foot wide easement along the western border of Lots 29, 28, 21, and 20 and that portion of Lot 13 which lies South of the Sprague River Highway, and also a 60 foot wide easement along the eastern border of Lots 22 and 19 and that portion of Lot 14 which lies South of the Sprague River Highway. Said easements as described above are for the use of adjoining property owners and their assigns and successors as are set out in the following:
 - A. Easement, including the terms and provisions thereof, dated February 7, 1970, in M70, page 3950 to Phillip W. Curtis.
 - B. Easement, including the terms and provisions thereof, dated February 7, 1969, recorded May 18, 1970, in M70, page 3957, to Eugene J. Borgna, et ux.
 - C. An easement created by instrument, including the terms and provisions thereof, dated January 6, 1969, recorded August 25, 1970, in Book M70, page 7474, Microfilm Records of Klamath County, Oregon, in favor of Vincent P. Shoulin, et ux, for 60 foot roadway.
 - D. An easement created by instrument, including the terms and provisions thereof, dated January 2, 1969, recorded March 18, 1971 in Book M71, page 2315, Microfilm Records of Klamath County, Oregon, in favor of George A. Pondella, Jr., for a 60 foot roadway.
 - E. An easement created by instrument, including the terms and provisions thereof, dated December 17, 1969, recorded March 30, 1970 in Book M70, page 2449, Microfilm Records, being a right of way over the West 60 feet of Lots 13, 20, 21, 28 and 29, Section 13, Township 36 South, Range 10 East of the Willamette Meridian.
 - F. An easement created by instrument, including the terms and provisions thereof, dated October 12, 1972, recorded November 4, 1974, in Book M74, page 14300, Microfilm Records of Klamath County, Oregon, in favor of Josephine L. Pavlik for joint user roadway.
 - G. An easement created by instrument, including the terms and provisions thereof dated April 2, 1969, recorded November 5, 1974, in Book M74, page 14302, Microfilm Records of Klamath County, Oregon, in favor of Josephine L. Pavlik for joint user roadway.
 - H. An easement created by instrument, including the terms and provisions thereof, dated June 9, 1969, recorded November 5, 1974, in Book M74, page 14304, in favor of Martin J. Ceipielik and Beverly L. Ceipielik for joint use roadway.
5. Reservations as contained in Real Estate Contract between Fred W. Koehler, Jr. and Charlotte M. Koehler, husband and wife, Vendor and John Jerome and Robert J. Clark, husband and wife and John Joseph and Theresa Clark, husband and wife, Vendee, recorded February 6, 1976, in Volume M76, page 1755, Microfilm Records of Klamath County, Oregon, to wit:
 "Grantor reserves an undivided 1/2 interest in Well and ditches in Government Lot 14, and right to access to operate and maintain said well."

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6. An easement created by instrument, including the terms and provisions thereof,
Dated: August 18, 1984
Recorded: October 17, 1984
Volume: M84, page 17804, Microfilm Records of Klamath County, Oregon
Dated: September 19, 1984
Recorded: October 17, 1984
Volume: M84, page 17805, Microfilm Records of Klamath County, Oregon
Dated: October 30, 1984
Recorded: October 17, 1984
Volume: M84, page 17806, Microfilm Records of Klamath County, Oregon
In favor of: Telephone Utilities of Eastern Oregon, Inc.
For: Underground telephone utilities

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 10th day
of April A.D., 19 86 at 8:49 o'clock A M., and duly recorded in Vol. M86,
of _____ Deeds on Page 5945

FEE \$18.00

By Evelyn Biehn, County Clerk
[Signature]