

60344-58635

WARRANTY DEED

Vol. 15015

Page 3313

KNOW ALL MEN BY THESE PRESENTS, That

JOHN KALITA and ELEANOR C. KALITA,

husband and wife

RICHARD C. LARSON

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

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 the E 1/2 SW 1/4 NE 1/4 lying Southerly of the center thread of the Sprague River, in Section 35; Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM the South 350 feet thereof.

"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 IS BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION
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

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 \$ 90,000.00

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.

In Witness Whereof, the grantor has executed this instrument this 24th day of FEBRUARY, 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)

K. John Kalita
JOHN KALITA

K. Eleanor C. Kalita
ELEANOR C. KALITA

STATE OF OREGON, } ss.
County of Klamath
February 24, 1986

STATE OF OREGON, County of _____) ss.
February 19, 1986

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 _____

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)

Personally appeared the above named JOHN KALITA and ELEANOR C. KALITA, husband and wife

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

Before me: _____ Notary Public for the State of Florida
My commission expires: _____

John Kalita & Eleanor C. Kalita
P.O. Box 3333
Homesassa Springs, FL 32647
GRANTOR'S NAME AND ADDRESS

Richard C. Larson
P.O. Box 42-A-522
Los Angeles, CA 90050
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, } 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/roll number _____
Record of Deeds of said county.
Witness my hand and seal of County affixed.
By _____ Recording Officer
Deputy

SPACE RESERVED FOR RECORDER'S USE

MOUNTAIN TITLE COMPANY INC

- continued from the reverse side of this deed -

SUBJECT TO:

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 of the Sprague River.
3. Subject to reservations and restrictions as contained in Deed from the State of Oregon to Frank Riley, recorded in Volume 285, page 394, Records of Klamath County, Oregon, to wit:
"Subject, however to such rights of way for ditches, canals, and reservoir sites for irrigation purposes as may have been reserved by the United States or otherwise."
4. Subject to reservations and restrictions as contained in Patent recorded in Volume 303, page 340, Records of Klamath County, Oregon, to wit:
"there is reserved from the lands hereby allotted, a right of way thereon for ditches or canals constructed by the authority of the United States."
5. Reservations, including the terms and provisions thereof, contained in Land Status Reports recorded November 3, 1958, in Volume 305, page 668 and recorded December 2, 1958, in Volume 307, page 96, Deed Records of Klamath County, Oregon.
6. Subject to a non-exclusive easement for a roadway for ingress and egress 30 feet width easement as disclosed by Deed recorded February 11, 1964, in Volume 351, page 111, Deed Records of Klamath County, Oregon, John Kalita, et ux, grantors and Adolph Heeseman, et ux, grantees.

"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."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ day
of February A.D., 19 86 at 11:06 o'clock A M., and duly recorded in Vol. HB6
of _____ Deeds on Page 3313

FEE \$9.00

Evelyn Biehn,
By _____

County Clerk

INDEXED

DEED DESCRIPTION

Written for: Mr. John Kalita

April 2, 1986

Written by: Marshall M. Ager, Registered Oregon Land Surveyor

A tract of land situated in the southwest one-quarter of the northeast one-quarter of Section 35, Township 34 South, Range 7 East, Willamette Meridian, in Klamath County, Oregon, being more particularly described as follows:

Beginning at a 5/8 inch iron rod on the East-West centerline of said Section 35 from which the East one-quarter corner of Section 35 bears N 89°04'24" E, 1980.23 feet; thence N 00°43'28" W, 717.71 feet along an existing fence line to a 5/8 inch iron rod on the high left bank of Sprague River; thence continuing N 00°43'28" W, 135 feet, more or less, to the thread of said Sprague River; thence upstream following the sinuosities of the thread of said Sprague River to a point on the East line of the southwest one-quarter of the northeast one-quarter of said Section 35; thence S 00°47'48" W, 1265 feet along said East line to a point on the East-West centerline of said Section 35; thence S 89°04'24" W, 696.59 feet to the point of beginning,

EXCEPTING THEREFROM the South 350.00 feet, and also excepting therefrom that portion of the above described parcel lying within the boundaries of the Chiloquin Ridge Road, the remaining area containing 8.3 acres, more or less.

JK.
E.E.K.

Marshall M. Ager
Marshall M. Ager

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 16th day
of April A.D., 19 86 at 1:35 o'clock P M., and duly recorded in Vol. M86,
of _____ Deeds on Page 6498.

FEE \$18.00

Evelyn Biehn,
By _____

County Clerk

John Smith