

65412

WARRANTY DEED

MTC-109

Vol. M84

Page 15679

KNOW ALL MEN BY THESE PRESENTS, That husband and wife

ROBERT N. SHIVELY and ELIZABETH A. SHIVELY,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DONALD E. ROWLETT and JEAN ROWLETT, husband and wife 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 NW $\frac{1}{4}$  of Section 29, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point 40 feet South and 521 feet East of the Northwest corner of the Northwest quarter of the Northwest quarter of Section 29 South, Range 9 East of the Willamette Meridian; thence 799 feet; thence South 1280 feet to the South line of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 29, Township 39 South, Range 9 East of the Willamette Meridian; thence West 799 feet along said line; thence North 1280 feet to the point of beginning.

- continued on the reverse side of this deed -

## MOUNTAIN TITLE COMPANY

"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."

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

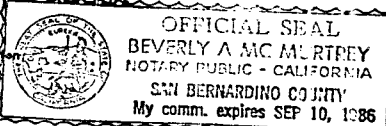
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as stated on the reverse side of this deed and those apparent upon the land, if any, as 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 \$107,500.00. 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 27th day of August, 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 corporate officer, affix corporate seal)



ROBERT N. SHIVELY

ELIZABETH A. SHIVELY

STATE OF OREGON, CALIFORNIA }  
County of San Bernardino } ss.  
August 27, 1986

STATE OF OREGON, County of } ss.  
Personally appeared \_\_\_\_\_, 19\_\_\_\_, 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 ROBERT N. SHIVELY and ELIZABETH A. SHIVELY and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Beverly A. McMurtry  
(OFFICIAL SEAL) Notary Public for Oregon  
My commission expires: September 10, 1986

Notary Public for Oregon  
My commission expires: September 10, 1986 (OFFICIAL SEAL)

Robert N. Shively & Elizabeth A. Shively  
c/o Red Carpet Real Estate, 8655 19th Street  
Alta Loma, CA 91701  
GRANTOR'S NAME AND ADDRESS

Donald E. Rowlett & Jean Rowlett  
12360 Hilltop Drive  
Los Altos, CA 94022  
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/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. Taxes for the fiscal year 1986-1987, a lien, not yet due and payable.
2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last ten (10) or lesser number of years in which the Farm Use Assessment was in effect for the land, and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Project and Klamath Irrigation District.
4. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Basin Improvement District.
5. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads, or highways.
6. Grant of right of way, including the terms and provisions thereof, recorded in Volume 342, page 116, Records of Klamath County, Oregon.  
In favor of: Pacific Power & Light Company, a Maine corporation  
For: Installation of one anchor and guy  
Affects: NE 1/4, NE 1/4, NW 1/4, NW 1/4
7. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein,  
Dated: March 8, 1979  
Recorded: March 8, 1979  
Volume: M79, page 5374, Microfilm Records of Klamath County, Oregon  
Amount: \$92,000.00  
Grantor: Ernest W. Tosti and Tama Tosti, husband and wife  
Trustee: William Sisenore  
Beneficiary: Klamath First Federal Savings and Loan Association

The Grantees named on the reverse side of this deed hereby agree to assume and pay the above described Trust Deed.

STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

on this 29th day of August A.D. 19 86  
at 3:47 o'clock P M. and duly recorded  
in Vol. M86 of Deeds Page 15679  
Evelyn Biehn, County Clerk  
By [Signature]  
Fee, \$14.00 Deputy.