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STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR. 97208

WARRANTY DEED

Vol. 1100 Page 16374

**KNOW ALL MEN BY THESE PRESENTS, That** Emmett M. Rose and Mildred M. Rose, husband and wife, do hereby sell, convey and transfer unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or pertaining, situated in the County of Klamath, Oregon, described as follows, to-wit:

That portion of Tract A of Harriman Park, Klamath County, Oregon, more particularly described as follows:

Beginning at a point in the Easterly right of way line of Dugout Lane, which is the most Southerly corner of Lot 3 of said Harriman Park and which is marked with a half-inch iron pin; thence, South 50° 14' West a distance of 50 feet to the Westerly right of way line of Dugout Lane; thence South 39° 46' East along said right of way line a distance of 85.5 feet; thence, running South 88° 37' West on the South line of a private 20 foot wide roadway a distance of 72.4 feet to the true point of beginning of this description; thence, leaving said South line of said roadway and running South 39° 52' West a distance of 151.2 feet, more or less, to a point which is situated on the North

(continued on reverse side of this document)

(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 noted of record as of the date 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 \$48,500.00.

© However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which). (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 20th day of January, 1982, 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.

X *Emmett M. Rose* Notary Public  
 (If executed by a corporation, affix corporate seal) *Emmett M. Rose* Notary Public  
 , affixed seal below to witness the foregoing instrument.

X *Mildred M. Rose* Notary Public  
 (If executed by a corporation, affix corporate seal) *Mildred M. Rose* Notary Public  
 , affixed seal below to witness the foregoing instrument.

STATE OF OREGON, County of Jackson, January 20, 1982, affixed seal below to witness the foregoing instrument. Personally appeared *Emmett M. Rose* and *Mildred M. Rose*, 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 acknowledged the foregoing instrument to be its voluntary act and deed.

Before me:

*Debra J. Brown* Notary Public for Oregon  
 My commission expires: 12/4/85

(OFFICIAL SEAL) *Debra J. Brown* Notary Public for Oregon  
 My commission expires: 12/4/85

## GRANTOR'S NAME AND ADDRESS

## GRANTEE'S NAME AND ADDRESS

After recording return to:  
**Gerald Corgait**  
 1814 Geyser Ct.  
 Antioch, CA 95409  
 NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

 SPACE RESERVED  
 FOR  
 RECORDER'S USE

## STATE OF OREGON,

## 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/reel/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.

NAME \_\_\_\_\_  
 TITLE \_\_\_\_\_  
 By \_\_\_\_\_ Deputy \_\_\_\_\_

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beginning at point on said North bank of said water channel; thence running on bank of the artificially constructed water channel; thence running on said North bank of said water channel North  $83^{\circ} 20'$  West a distance of 75.0 feet; thence leaving said water channel and running North  $13^{\circ} 10'$  East a distance of 144.8 feet, more or less, to a point on said South line of said private 20 foot wide roadway; thence, running East a distance of 72.4 feet, more or less, to the true point of beginning of this description.

"TOGETHER WITH full but non-exclusive right of ingress and egress over the above mentioned private 20 foot wide roadway; to Dugout Lane, the South line of said roadway; the North line of said easement being bounded by the South line of the roadway; and TOGETHER WITH a non-exclusive easement of ingress and egress by water from and to Harriman Creek on said artificially constructed water channel, but reserving to Grantors, their heirs and assigns, the right to use said water channel for the benefit of Grantors' remaining lands in Section 73, Township 36 South, Range 6 East of the Willamette Meridian, and the right to further construct and improve said channel to serve Grantors' said lands."

(Unnumbered lines to edit whenever no bounding)

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

Dated: August 1, 1960, both sides to which add to page 11, etc.

Recorded: August 4, 1960

Volume: 323, page 220, Deed Records of Klamath County, Oregon

In favor of: The California Oregon Power Company, a California corporation

For: Electric transmission and distribution lines.

3. Reservations and restrictions contained in plat dedication, to-wit:

"dedicate, donate and convey to the public for public use forever, roads as platted hereon and subject to 10' building setback lines and to easements over the back of all lots for utilities."

4. Agreement recorded December 19, 1952 in Volume 258, page 287, of Klamath County Deed Records, as corrected by Agreement recorded December 27, 1955 in Volume 280 at page 146 of said Deed Records, prohibiting the use of said premises for any resort or competing commercial use, as more specifically defined in said Agreement.

5. Subject to an easement as contained in Deed recorded October 27, 1967 in Volume M67, page 8388, Microfilm Records of Klamath County, Oregon, William E. Johnson, et ux, as Grantor and Eugene F. Jensen, et ux, as Grantee, "subject to an easement for utilities five feet wide across the premises herein sold, said easement to be bounded by the right of way line of said private 20 foot

roadway." Subject to building and use restrictions as contained in Deed from William E. Johnson, et ux, to Eugene F. Jensen, et ux, recorded October 27, 1967 in Volume M67, page 8388, Microfilm Records of Klamath County, Oregon.

MODERATE STATE

to witness

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of September A.D. 19 86 at 9:27 o'clock A.M., and duly recorded in Vol. M86, on Page 16374.

FEE \$14.00

Evelyn Biehn, County Clerk  
By *Pam Smith*