

1-1-74

27831 65814

WARRANTY DEED

Vol. 1486 Page 16374

KNOW ALL MEN BY THESE PRESENTS, That Emmett M. Rose and Mildred M. Rose, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated; to grantor paid by David Olmstead and Gerald Corgait, 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:

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,

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 \$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.

(If executed by a corporation affix corporate seal)

Emmett M. Rose

Mildred M. Rose

STATE OF OREGON

STATE OF OREGON, County of Jackson

County of Jackson

January 24, 1982

(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 that the seal affixed to the foregoing instrument is the corporate seal

of said corporation and that said instrument was signed and sealed in be-

half 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: 12/4/85

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

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

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 document/tee/file/instrument/microfilm No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By Deputy

bank of the artificially constructed water channel; thence running on said North bank of said water channel North 83° 20' West a distance of 75.0 feet; thence leaving said water channel and running North 83° 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, and together with an easement for utilities 5 feet in width along 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 unto Grantors, their heirs and assigns, the right to use said water channel for the benefit of Grantors' remaining lands in Section 13, 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."

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
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.

STATE OF OREGON
County of Klamath

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 11th day of September A.D. 19 86 at 9:27 o'clock A.M., and duly recorded in Vol. M86 of Deeds on Page 16374

FEE \$14.00
By Evelyn Biehn, County Clerk
[Signature]