

70751

WARRANTY DEED

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THIS INDENTURE, WITNESSETH, That FRANK L. TOFELL and JANICE M. TOFELL, husband and wife, hereinafter known as grantors, for the consideration herein after recited, have bargained and sold, and by these presents do grant, bargain, sell, and convey unto JOHN C. CARTER and NORMA L. CARTER, Co-Partners, their successors and assigns the following described premises, situated in Klamath County, Oregon, to wit:

The following described real property is situated in Klamath County, Oregon.

Beginning at an iron pin which lies North 0°51' West along the 40 line a distance of 462.3 feet, and North 89°09' East, a distance of 262.2 feet, and South 46°09' East, a distance of 428.4 feet from the iron axle which marks the Southwest corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Twp. 39S., R. 9 E.W.M., in Klamath County, Oregon; and running thence: Continuing on South 46°09' East a distance of 129.4 feet to an iron pin; Thence, North 43°51' East, a distance of 384 feet to an iron pin on the Southerly right of way line of the Klamath Falls-Lakeview Highway, which is 30 feet, measured at right angles from the centerline; Thence, North 46°09' West, a distance of 129.4 feet along said right of way line to an iron pin; Thence, South 43°51' West, a distance of 384 feet to the Point of Beginning.

EXCEPTING THEREFROM that Portion conveyed to the State of Oregon, by and through its State Highway Commission, recorded July 5, 1972, in Volume M72 at page 7243, Microfilm Records of Klamath County, Oregon.

SUBJECT TO: Taxes for the fiscal year 1978-1979, now a lien, but not yet due and payable; Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads, or highways; The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District; Right of Way granted to The California Oregon Power Company, recorded May 22, 1926, in Volume 69 at page 577, Deed Records of Klamath County, Oregon, (No exact location given); Reservations as contained in deed recorded May 5, 1958, in Volume 299, page 244, Deed Records of Klamath County, Oregon, F. C. Adams, et ux, to James E. Chaney, et ux, and W. N. Butler, et ux, to wit: "Subject to an easement for ditches and/or pipe lines to convey water for the benefit of adjoining property owners."; Limited Access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission recorded in Volume M72, page 7243, Microfilm Records of Klamath County, Oregon, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property; Right of Way Easement, granted to Pacific Power and Light Company, a corporation, recorded March 7, 1977, in Volume M77, page 3869, Microfilm Records of Klamath County, Oregon (Affects a portion of the S $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$); Easement, including the terms and provisions thereof, granted to South Suburban Sanitary District of Klamath County, Oregon, for sewer purposes, recorded in Volume M77, page 23003, Microfilm Records of Klamath County, Oregon.

WM. GANONG
LAWYER
P. O. BOX 57
KLAMATH FALLS, ORE.
97601
(503) 882-7228

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after recording -
John C. Carter
Norma L. Carter
2020 Timberley Dr
Klamath Falls, OR
97603

JAN 25 AM 11 47

The true and actual consideration for this transfer is \$160,043.50

The foregoing recitation of consideration is true as I verily believe.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said grantees, their successors and assigns forever. And the said grantors do hereby covenant to and with the said grantees, their successors and assigns, that they are the owners in fee simple of said premises; that they are free from all incumbrances, except as above set out, and that they will warrant and defend the same from all lawful claims whatsoever, except those above set forth.

IN WITNESS WHEREOF, they have hereunto set their hands and seals this 15th day of August 1978.

Janice M. Tofell (SEAL)
Janice M. Tofell

Frank L. Tofell (SEAL)
Frank L. Tofell

STATE OF OREGON, County of Klamath) SS

August 24, 1978

Personally appeared the above-named Frank L. Tofell and Janice M. Tofell, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed. BEFORE ME:

(SEAL)

Linda Steele
Notary Public for Oregon
My Commission expires:

My Commission Expires July 13, 1981

After recording return to:

Carter

2020 Timberline Dr
Klamath Falls, OR 97603

Until a change is requested, all tax statements shall be sent to the following name and address:

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 26th day
of January A.D., 19 87 at 11:47 o'clock A.M., and duly recorded in Vol. M87
of Deeds on Page 1210

FEE \$14.00

Evelyn Biehn, County Clerk
By Sam Smith