

72129

#M30725


Aspen
 TITLE & ESCROW, INC.

WARRANTY DEED (INDIVIDUAL)

 Vol. M87 Page 3752

CARSON P. MERKLEY and ELIZABETH M. MERKLEY, husband and wife
 , hereinafter called grantor,
 convey(s) to BERNARD L. SIMONSEN and RHEA E. SIMONSEN TRUSTS SIMONSEN FAMILY TRUST DATED
3-20-86, as to an undivided 1/2 interest; and ** all that real property situated in the
 County of Klamath , State of Oregon, described as:

**PAUL WILLIAM SIMONSEN, as to an undivided 1/2 interest

SEE ATTACHED EXHIBIT "A"

"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 DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except
 SEE ATTACHED EXHIBIT "A"

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$1,000,000.00 . *However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (Indicate which)° (Delete between symbols° if not applicable. See ORS 93.030)

In construing this deed and where the context so requires, the singular includes the plural.
 IN WITNESS WHEREOF, the grantor has executed this instrument this 6th day of March ,

 19 87 .

 STATE OF OREGON, County of Klamath ss.

 On this 6th day of March , 19 87 .

Personally appeared the above named Carson P. Merkley and Elizabeth M. Merkley
 and acknowledged the foregoing
 instrument to be their voluntary act and deed.

Before me:

Barlene P. Addington
 Notary Public for Oregon
 My Commission Expires: 3-22-89

Carson P. & Elizabeth M. Merkley

GRANTOR'S NAME AND ADDRESS

Simonsen Family Trust

GRANTEE'S NAME AND ADDRESS

After recording return to:

Simonsen Family Trust
30731 Via La Cresta
Rancho Palos Verdes, CA 90274

NAME, ADDRESS, ZIP

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

SAME AS ABOVE

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/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

'87 MAR 9 PM 3 08

EXHIBIT "A"

3753

Township 36 South, Range 14 East of the Willamette Meridian, in the County of Klamath, State of Oregon:

- Section 23: Beginning at a point 100 feet West of the Southeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23; thence North 200 feet; thence West 200 feet; thence South 200 feet; thence East 200 feet to the point of beginning.
- Section 24: All
- Section 25: N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
- Section 26: All
- Section 36: NW $\frac{1}{4}$ NE $\frac{1}{4}$

Township 36 South, Range 15 East of the Willamette Meridian, in the County of Klamath, State of Oregon:

- Section 16: W $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 17: W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
- Section 18: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$
- Section 19: All
- Section 20: N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 21: W $\frac{1}{2}$, SE $\frac{1}{4}$
- Section 27: W $\frac{1}{2}$, SE $\frac{1}{4}$
- Section 29: E $\frac{1}{2}$, SW $\frac{1}{4}$
- Section 31: W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$
- Section 33: W $\frac{1}{2}$, SE $\frac{1}{4}$
- Section 35: S $\frac{1}{2}$

SAVING AND EXCEPTING a strip of land 66 feet in width across the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21 and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 36 South, Range 15 East of the Willamette Meridian, conveyed to Weyerhaeuser Timber Company as described in Parcels 1 and 2 in deed recorded July 25, 1958 in Volume 301 at page 347, Deed Records of Klamath County, Oregon.

ALSO SAVINGS AND EXCEPTING a strip of land 66 feet in width in the N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 36 South, Range 15 East of the Willamette Meridian, conveyed to Weyerhaeuser Timber Company by deed recorded January 13, 1959 in Bolume 308 at page 577, Deed Records of Klamath County, Oregon.

SUBJECT TO:

1. Easement recorded March 3, 1932 in Book 97 at page 98.
2. Reservations and restrictions contained in deed recorded October 7, 1963 in Book 348 at page 443.
3. Easement recorded August 22, 1958 in Book 302 at page 398.
4. ~~Reservations set forth in deed recorded December 3, 1946 in Book 149 at page 255.~~
5. Rights of the public in and to any portion of said premises lying within the limits of roads and highways.
6. Rights of the public and of governmental bodies in that portion of the above described property lying below the high water mark of Sprague River and the ownership of the State of Oregon in that portion lying below the high water mark thereof.
7. An easement recorded November 28, 1942 in Book 151 at page 333.
8. An easement recorded November 22, 1946 in Book 199 at page 53 and recorded November 18, 1946 in Book 198 at page 401.
9. Easement recorded January 28, 1963 in Book 342 at page 617.

continued.....

EXHIBIT "A" (continued)

3754

10. Easement recorded August 27, 1965 in Book M-65 at page 1223.
11. Easement recorded December 16, 1968 in Book M-68 at page 10828.
12. Easement and Agreement recorded April 6, 1971 in Book M-71 at page 2842 and re-recorded October 9, 1971 in Book M-71 at page 10644.
13. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use.
14. Easement recorded November 7, 1977 in Book M-77 at page 21405.
15. Easement recorded May 19, 1980 in Book M-80 at page 9150.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 9th day
of March A.D., 19 87 at 3:08 o'clock P M., and duly recorded in Vol. M87,
of Deeds on Page 3752.

FEE \$18.00

Evelyn Biehn, County Clerk
By [Signature]