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WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That GIENGER ENTERPRISES, INC., an Oregon Corporation

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JOSEPH G. KIRCHER, 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:

All of Lot 35 South of The South Chiloquin State Highway, Section 4, T35S, R7E W.M.

A parcel of land situated in Government Lots 2,7, and 10, Section 9, T35S, R7E.W.M. more particularly described on Exhibit "A".

(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

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 \$ 16,860.00.  
~~However, the actual consideration consists of or includes other property of value given or promised which is the whole or 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 1st day of July, 1980; 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)

GIENGER ENTERPRISES, INC.  
Leroy Gienger, Pres.  
Elvina P. Gienger, Sec.

STATE OF OREGON, } ss.  
 County of \_\_\_\_\_, 19\_\_\_\_.

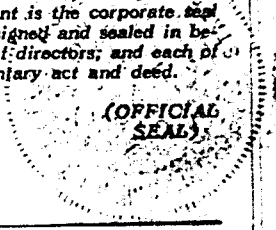
STATE OF OREGON, County of Klamath ) ss.  
August 13, 1980.  
 Personally appeared Leroy Gienger and Elvina P. Gienger who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

Personally appeared the above named \_\_\_\_\_ and acknowledged the foregoing instrument to be \_\_\_\_\_ voluntary act and deed.

GIENGER ENTERPRISES, INC., 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.

Before me:  
 (OFFICIAL SEAL)  
 Notary Public for Oregon  
 My commission expires: \_\_\_\_\_

Before me:  
Bonnie M. Kircher  
 Notary Public for Oregon  
 My commission expires: 11-5-82



<u>GIENGER ENTERPRISES, INC.</u> <u>P.O. Box 384</u> <u>Chiloquin, Oregon 97624</u> <small>GRANTOR'S NAME AND ADDRESS</small>	
<u>JOSEPH G. KIRCHER</u> <u>P.O. Box 337</u> <u>Chiloquin, Oregon 97624</u> <small>GRANTEE'S NAME AND ADDRESS</small>	
After recording return to: <u>JOSEPH G. KIRCHER</u> <u>P.O. Box 387</u> <u>Chiloquin, Or</u> <small>NAME, ADDRESS, ZIP</small>	
Until a change is requested all tax statements shall be sent to the following address. <u>Lee E. Carlson</u> <u>P.O. Box 251, Chiloquin, Or 97624</u> <small>NAME, ADDRESS, ZIP</small>	

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

SPACE RESERVED FOR RECORDER'S USE

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## EXHIBIT "A"

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Commencing at the Northwest corner of said Government Lot 2 (said point also being the North one-quarter corner of said Section 9), thence South 00° 00' 30" West along the West line of said Government Lot 2, 311.14 feet, to the true point of beginning of this description, thence from said point of beginning North 89° 38' 24" East 280.05 feet, thence South 638.03 feet, thence East 502.11 feet, to a point on the Westerly right of way line US Highway #97, thence South 04° 02' 34" West along the Westerly right of way of said US Highway 97 1020.29 feet, to a point on the South line of said Government Lot 10, thence North 89° 59' 02" West along the South line of said Government Lot 10, 710.46 feet, to the Southwest corner of said Government Lot 10, thence North 00° 00' 30" East along the West lines of Government Lot 10, Lot 7 and Lot 2, 1653.82 feet to the true point of beginning, containing 21.5 acres more or less.

Subject to: Easements, conditions and restrictions, including the terms and provisions thereof, as contained in instrument recorded September 26, 1957 in Volume 294, page 481, Deed Records of Klamath County, Oregon, to wit:

"(1) Right of Way of the Pacific Telephone and Telegraph Company for a telephone line approved December 6, 1930, by Jos. M. Dixon, First Assistant Secretary, subject to the provisions of the Act of March 3, 1901 (31 Stat. L., 1058-1083) Departmental regulations thereunder; and subject also to any prior valid existing right or adverse claim;

(2) Right of Way to Oregon State Highway Commission for a highway approved August 26, 1946, by C. Girard Davidson, Assistant Secretary, subject to the provisions of the Act of March 3, 1901 (31 Stat. L. 1058-1084) Departmental regulations thereunder; and subject also to any prior valid existing right or adverse claim.

Title to the above-described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record.

All subsurface rights, except water are hereby reserved, in trust for the heirs of Esther Stokes, deceased Klamath allottee No. 592."

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.

Easements, conditions and restrictions, including the terms and provisions thereof, as contained in instrument recorded in Volume 329, page 115, Deed Records of Klamath County, Oregon, to wit:

"The above described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record; and there is hereby reserved any and all roads, trails, telephone lines, etc., actually constructed by the United States, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr., January 13, 1916, 44 L.D. 513)."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the \_\_\_\_\_ 26th day  
of \_\_\_\_\_ March \_\_\_\_\_ A.D., 19 87 at 11:54 o'clock A M., and duly recorded in Vol. M87  
of \_\_\_\_\_ Deeds \_\_\_\_\_ on Page 4978.

FEE \$14.00

Evelyn Biehn, County Clerk  
By \_\_\_\_\_