

1-1-74

73085

WARRANTY DEED

Vol. 1497 Page 5611KNOW ALL MEN BY THESE PRESENTS, That Joseph Glen Kircher

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

Lee E. Carlson, 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, T 35S, R7 E.W.M., containing 6.6 acres more or less.

A parcel of land situated in Government Lots 2,7, and 10, Section 9, T35S, R7 E.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 \$ 33,720.00.

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) or (if no 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 October, 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.

Joseph G. Kircher x

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Klamath } ss.
October 1, 1980

Personally appeared the above named
Joseph G. Kircher

and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Bonnie M. Kircher

Notary Public for Oregon

My commission expires: 11.5.82

STATE OF OREGON, County of _____) ss.

_____, 19____

Personally appeared _____ and

_____, 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 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:

Joseph G. KircherP.O. Box 337Chiloquin, Oregon 97624

GRANTOR'S NAME AND ADDRESS

Lee E. CarlsonP.O. Box 251Chiloquin, Oregon 97624

GRANTEE'S NAME AND ADDRESS

After recording return to:

Lee E. CarlsonNo Below

NAME, ADDRESS, ZIP

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

Lee E. CarlsonP.O. Box 251Chiloquin OR. 97624

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____) ss.

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

SPACE RESERVED
FOR
RECORDER'S USE

EXHIBIT "A"

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, 1937 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 _____
of _____ April _____ A.D., 19 87 at 4:23 o'clock P _____ M., and duly recorded in Vol. M87
of _____ Deeds _____ on Page 5611

FEE \$14.00

Evelyn Biehn, County Clerk
By _____