

75646

WARRANTY DEED

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10187

KNOW ALL MEN BY THESE PRESENTS, That SHIRLEY F. HILYARD INDIVIDUALLY AND AS CONSERVATOR FOR KELLY ANNE HILYARD, HAL GREGORY HILYARD AND SHANA LEANN HILYARD hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JOHN M. BERG AND BRENDA J. FOSTER, not as Tennants in common but with full **, 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: **rights of Survivorship

See Attached 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

See Attached Exhibit A

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. and that

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$28,000.00. ~~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).~~ (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 12th day of June, 1987; 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.

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.

STATE OF OREGON, }
County of _____ } ss.
_____, 19____.

Shirley F. Hilyard
SHIRLEY F. HILYARD INDIVIDUALLY AND AS
CONSERVATOR FOR KELLY ANNE HILYARD,
HAL GREGORY HILYARD AND SHANA LEANN
HILYARD
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 _____

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:

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

(If executed by a corporation, affix corporate seal)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

John M. Berg
8320 Keller Rd.
Klamath Falls, Oregon 97603
NAME, ADDRESS, ZIP

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

John M. Berg
8320 Keller Rd.
Klamath Falls, Oregon 97603
NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

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 fee/tile/instrument/microfilm/reception No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy

Township 39 South, Range 19 East of the Willamette Meridian:

Section 14: SW $\frac{1}{4}$ SE $\frac{1}{4}$, saving and excepting the two parcels shown below. Also saving and excepting those portions lying within the limits of Johns Avenue and lateral conveyed to United States of America by Deed Volume 24 on page 68, records of Klamath County, Oregon.

Parcel 1: Commencing at the Northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 14; thence North 89°50' West along the centerline of Johns Avenue 30.00 feet; thence South 0°10' East 30.00 feet to the South boundary of Johns Avenue and West boundary of Homedale Road for the true point of beginning; thence South 0°10' East along the West boundary of Homedale Road 563.06 feet; thence West 929.26 feet; thence North 0°01' West 374.97 feet to an iron pin on the East boundary of the A-3-b Lateral; thence North 4°11'40" East along said Lateral boundary 191.26 feet to the South boundary of Johns Avenue; thence South 89°50' East along said avenue boundary 913.74 feet to the point of beginning.

Parcel 2: All that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying South of the following described line: Commencing at the Northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 14; thence North 89°50' West along the centerline of Johns Avenue 30.00 feet; thence South 0°10' East 593.06 feet to a point on the West boundary of Homedale Road for the true point of beginning; thence West 929.26 feet; thence South 0°10' East 130.00 feet; thence West 362.56 feet, more or less, to the West boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 14.

SUBJECT TO:

1. Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, easements, contracts, water and irrigation rights in connection therewith.
2. Any unpaid charges or assessments of Klamath Irrigation District.
3. Easement and right of way dated April 18, 1940 and recorded September 11, 1940 in Deed Volume 129 on page 587, records of Klamath County, Oregon.

STATE OF OREGON,

County of Klamath } ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 12TH day of June, 19 87, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Shirley E. Hilyard, individually and as Conservator for Kelly Anne Hilyard, Hal Gregory Hilyard and Shana Leann Hilyard

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Dusan [Signature]
Notary Public for Oregon.
My Commission expires 6-21-88

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Company the 12th day of June A.D. 19 87 at 10:39 o'clock A M., and duly recorded in Vol. M87 of Deeds on Page 10187

FEE \$14.00

By Evelyn Biehn, County Clerk
[Signature]