

MOUNTAIN TITLE COMPANY

84650

MT-19168

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That TOM W. DAIN & DARLENE K. DAIN, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JON JAY GARLINGHOUSE & CYNTHIA CATHERINE ALLYN, husband and wife

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:

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

FEB 24 AM 11 33 '88

SUBJECT TO: Liens, encumbrances and easements of record including Trust Deed in favor of Jack F. Bosse, recorded in Volume M87, page 10209 and re-recorded in Volume M87, page 23032, Microfilm Records of Klamath County, Oregon, which buyers herein DO NOT agree to assume and pay, and sellers further agree to hold buyers harmless therefrom.

MOUNTAIN TITLE COMPANY

"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."

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 EXCEPT those of record and apparent upon the land, if any, as of the date of this deed,

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 \$ 24,000.00

the whole consideration paid for this transfer, stated in terms of dollars, is \$ 24,000.00

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 20th day of January, 1988; 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)

STATE OF OREGON,

County of Klamath } ss.
1-28, 1988

Personally appeared the above named
Tom W. Dain & Darlene K. Dain

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

Before me, Notary Public for Oregon
My commission expires: 9-27-91

Tom W. Dain
Tom W. Dain

Darlene K. Dain
Darlene K. Dain

STATE OF OREGON, County of } ss.
1-28, 1988

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: Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

TOM W. DAIN & DARLENE K. DAIN

PO Box 148
Crescent Lake OR 97425

GRANTOR'S NAME AND ADDRESS

JON JAY GARLINGHOUSE & CYNTHIA CATHERINE ALLYN

147 E. Hilliard
Eugene OR 97404

GRANTEE'S NAME AND ADDRESS

After recording return to:

GRANTEE
147 E. Hilliard
Eugene OR 97404

NAME, ADDRESS, ZIP

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

GRANTEE

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 _____ 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

MOUNTAIN TITLE COMPANY

EXHIBIT "A" LEGAL DESCRIPTION

PARCEL 1:

A parcel of land located in the SE1/4 of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the Southeast corner of said Section 18; thence North 01 degrees 03' 41" East along the East line of said Section 18, a distance of 560.00 feet to a 1/2 inch iron rod; thence North 89 degrees 08' 04" West along a line parallel with the South line of said Section 18, a distance of 365.00 feet to a 1/2 inch iron rod; thence North 01 degrees 03' 41" East along a line parallel with the said East line, 434.66 feet to a 1/2" iron rod; thence continuing along said parallel line, 42 feet more or less to the center thread of Crescent Creek; thence Westerly along the center thread of Crescent Creek, 515 feet more or less to a point on the Westerly right of way of an easement and right of way recorded May 7, 1979 in Volume M79, page 11935, Microfilm Records of Klamath County, Oregon; thence Southerly along said right of way, 40 feet more or less to a 1/2" iron rod; thence continuing Southerly along said right of way, South 18 degrees 02' 08" West, 171.21 feet to a 1/2 inch iron rod; thence continuing along said right of way along the arc of a 130.00 foot radius curve to the left, 141.41 feet (the chord bears South 13 degrees 07' 37" East, 134.54 feet to a 1/2 inch iron rod); thence continuing along said right of way along the arc of a 95.68 foot radius curve to the right, 75.73 feet; (the chord bears South 21 degrees 36' 51", 73.77 feet to a 1/2 inch iron rod); thence South 01 degrees 03' 41" West along said right of way, 80.75 feet to a 1/2 inch iron rod on the Northerly right of way of an easement recorded December 11, 1978 in Volume M78, page 27809, Microfilm Records of Klamath County, Oregon; thence North 89 degrees 08' 04" West along said Northerly right of way, 455.00 feet to a 1/2 inch iron rod; thence North 01 degrees 03' 41" East along a line parallel with the East line of said Section 18, a distance of 397.15 feet to a 1/2 inch iron rod; thence continuing North 01 degrees 03' 41" East along said parallel line, 25 feet more or less to the center thread of said Crescent Creek thence Northwesterly along said center thread, 300 feet more or less to a point that lies North 01 degrees 03' 41" East, 60 feet from a 1/2 inch iron rod which is North 89 degrees 08' 04" West 1575.00 feet, and North 01 degrees 03' 41" East 1089.38 feet from the point of beginning; thence South 01 degrees 03' 41" West, 60 feet to said last mentioned iron rod; thence continuing South 01 degrees 03' 41" West along a line parallel with the East line of said Section 18, 529.38 feet to a 1/2 inch iron rod; thence North 89 degrees 08' 04" West along a line parallel with the South line of said Section 18, a

distance of 1058.67 feet to a point on the North-South centerline of said Section 18; thence South 01 degrees 01' 37" West along said centerline, 560.00 feet to the South 1/4 corner of said Section 18; thence South 89 degrees 08' 04" East along the South line of said Section 18, a distance of 2633.33 feet to the point of beginning.

EXCEPTING THEREFROM a parcel of land located in the SE1/4 of Section 18, Township 24 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Commencing at the Southeast corner of said Section 18; thence North 89 degrees 08' 04" West along the South line of said Section 18, a distance of 870.00 feet to a 1/2 inch iron rod; thence North 01 degrees 03' 41" East along a line parallel to the East line of said Section 18, a distance 560.00 feet to a 1/2 inch iron rod; thence North 89 degrees 08' 04" West along a line parallel with the South line of said Section 18, a distance of 455.00 feet to a 1/2 inch iron rod; at the true point of beginning, thence North 01 degrees 03' 41" East 25 feet along a line parallel with said East line, 397.15 feet to a 1/2 inch iron rod; thence continuing North 01 degrees 03' 41" East 25 feet, more or less to the center thread of Crescent Creek; thence Northwesterly along said center thread, 300 feet more or less to a point that lies North 01 degrees 03' 41" East, 60 feet from a 1/2 inch iron rod which is North 89 degrees 08' 04" West 1575.00 feet, and North 01 degrees 03' 41" East 1089.38 feet from the Southeast corner of Section 18; thence South 01 degrees 03' 41" West, 60 feet to said last mentioned iron rod; thence continuing South 01 degrees 03' 41" West along a line parallel with the East line of said Section 18, a distance of 1058.67 feet to a point on the North-South centerline of said Section 18; thence South 01 degrees 01' 37" West along said centerline, 560.00 feet to the South 1/4 corner of said Section 18; thence South 89 degrees 08' 04" East along the South line of said Section 18, a distance of 1763.33 feet; thence North 01 degrees 03' 41" East along a line parallel to the East line of said Section 18, a distance 560.00 feet to a 1/2 inch iron rod; thence North 89 degrees 08' 04" West along a line parallel with the South line of said Section 18, a distance of 455.00 feet to a 1/2 inch iron rod and the point of beginning.

PARCEL 2:

A strip of land 60 feet in width, the centerline of which is described as follows:

Commencing at the Southeast corner of said Section 18; thence North 89 degrees 08' 04" West along the South line of said Section, 840.00 feet to the point of beginning for said easement; thence North 01 degrees 03' 41" East, 640.65 feet; thence along the arc of a 125.68 foot radius curve to the left, 99.48 feet (the chord bears North 21 degrees 36' 51" West, 96.90 feet); thence along the arc of a 100.00 foot radius curve to the right, 108.78 feet; (the chord bears North 13 degrees 07' 38" West, 103.49 feet); thence North 18 degrees 02' 08"

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East, 171.21 feet, (the chord bears North 9 degrees 10' 24" East, 61.62 feet); thence North 00 degrees 18' 40" East, 268.72 feet to the Southerly right of way of Pine Creek Loop Road as shown on the official plat of Tract 1052, CRESCENT PINES. The Southerly terminus of said easement being the South line of said Section 18 and the Northerly terminus being the Southerly right of way of said Pine Creek Loop Road. Also, the non-exclusive right to use the bridge presently installed across Crescent Creek in said easement as part of said easement and right of way.

Tax Account No.: 2407 018D0 05000

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Company the 24th day
of February A.D., 19 88 at 11:33 o'clock A M., and duly recorded in Vol. M88
of Deeds on Page 2673

FEE \$25.00

Evelyn Biehn, County Clerk

By [Signature]