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85861

WARRANTY DEED

Vol. M88 Page 4794

KNOW ALL MEN BY THESE PRESENTS, That Donald E. Bailey

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Dwain O. Russell and Patricia K. Russell, husband and wife, 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:

See attached description marked Exhibit "A" and by this reference made a part hereof.

(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 except as noted of record as of the date of this deed and those apparent upon the land, if any, as of the date of this deed,

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 \$ 22,000.000

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 ①, 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 4th day of October, 1977; 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.

Donald E. Bailey

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Klamath } ss.
October 4, 1977

Personally appeared the above named Donald E. Bailey

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

Notary Public for Oregon

My commission expires: 12-22-78

STATE OF OREGON, County of) ss.

Personally appeared , 19

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:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:
Dwain O. Russell
P.O. Box 38
Chiloquin, OR, 97624
NAME, ADDRESS, ZIP

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

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.

Recording Officer

By Deputy

SPACE RESERVED FOR RECORDER'S USE

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EXHIBIT "A"

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Lot 4, Block 1 of TRACT 1118, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT, however, to the following:

1. The rights of the public in and to any portion of the herein described premises lying within the limits of existing roads.
2. Recitals as contained in Land Status Reports recorded December 15, 1958 in Volume 307, page 481, Deed Records of Klamath County, Oregon, recorded January 18, 1959 in Volume 308, page 529, Deed Records of Klamath County, Oregon, and recorded January 19, 1959 in Volume 308, page 699, Deed Records of Klamath County, Oregon, to wit: "The above described property is 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.)"
3. Right-of-way for pole and wire lines and other facilities for the transmission and distribution of electricity and incidentals, 15 feet wide, as conveyed to The California Oregon Power Company by deeds recorded November 9, 1961 in Volume 333, page 563, Deed Records of Klamath County, Oregon. (General location)
4. Recital in the deed from the United States of America recorded April 23, 1976 in Volume M76, page 6028 Microfilm Records of Klamath County, Oregon, to wit: "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."
5. Covenants, conditions, restrictions and easements, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms and provisions thereof, recorded July 1, 1976 in Volume M76, page 10037, Microfilm Records of Klamath County, Oregon, as follows: "(1) Reserving to Henry Wolff, Gerald Wolff, Gerry Warren Wolff and Eric Wolff, hunting and fishing rights on the above described real property; (2) Reserving a right of ingress and egress upon and across the above described property for the purposes of keeping and maintaining the irrigation ditches located on said real property, and construction of same. (3) Reserving to Henry & Gerald Wolff Ranch, Inc., one-half of all mineral rights located on said property."
6. A 60 foot easement over the Easterly portion of lot for road purposes, as shown on dedicated plat.
7. Reservations as contained in plat dedication, to wit: "(1) A non-exclusive public easement, for ingress and egress, as shown on the annexed map; (2) All residences built must conform to flood plain requirements as shown by the apparent high water line on the annexed map; (3) A 75 foot building set back line along side lot lines; (4) All easements and reservations of record and additional restrictions as provided in any recorded protective covenants."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath First Federal Savings & Loan Assoc. the 4th day of April A.D. 19 88 at 10:17 o'clock A M., and duly recorded in Vol. M88 of Deeds on Page 4794

Evelyn Biehn, County Clerk

FEE \$15.00

By RAM Smith