

86842

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K-40575

WARRANTY DEED

CLIFF YADEN SERVICE, INC., an Oregon corporation, and CLIFFORD C. YADEN and ELLA YADEN, its sole surviving shareholders, Grantors, convey and warrant to GULL INDUSTRIES, INC., a Washington corporation, Grantee, the real property situated in Klamath County, Oregon, described as follows:

See Exhibit A attached hereto.

The said property is free from all encumbrances, except easements and restrictions of record as of March 1, 1976 and all liens and encumbrances placed upon the property or suffered by Grantee subsequent to March 1, 1976, together with the following:

1. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District.
2. Slope Easement, including the terms and provisions thereof, granted in deed from Klamath Basin Cooperative to State of Oregon in Deed Records June 26, 1946 in Book 191 at page 240, Deed Records of Klamath County, Oregon, which are as follows: "Together with the right, privilege and easement to extend and maintain the slopes of cuts and/or fills for a distance of 6 feet (measured at a right angle to the highway center line), upon the adjoining and abutting property of the grantor, so long as the property hereinabove described shall be used for public highway purposes. Nothing in this paragraph contained shall be construed to convey fee title to the land used for slope purposes nor to prevent grantor from the full use and dominion thereover; provided, however, that such use shall not be permitted to remove and destroy lateral support to the highway right of way provided further that nothing herein contained shall grant to the State of Oregon, by and through its State Highway Commission, the right to excavate beneath existing buildings or deposit fill materials against existing buildings above the top of the foundations thereof." (Affects the Northerly 6 feet of said premises.)

3. Easement, right of way and set back line of 35 feet, imposed upon said premises by agreement between Klamath Basin Cooperative, a corporation, and George F. Hayes, et ux., recorded December 31, 1947 in Book 215 at page 243, Deed Records of Klamath County, Oregon. (Affects Northerly 35 feet of said premises.)

The true consideration for this conveyance is ONE HUNDRED SIXTY-SIX THOUSAND AND NO/100 DOLLARS (\$166,000.00). This amount includes consideration for other parcels, also, pursuant to a certain Land Sale Contract dated March 1, 1976.

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.

DATED this 1 day of December 1987.

CLIFF YADEN SERVICE, INC.

By: Clifford C. Yaden
Clifford C. Yaden

Title: Pres.

By: Ella Yaden
Ella Yaden

Title: President


Clifford C. Yaden
CLIFFORD C. YADEN

Ella Yaden
ELLA YADEN

STATE OF OREGON)
) ss.
 County of Klamath)

PERSONALLY APPEARED CLIFFORD C. YADEN who, being
 duly sworn, did say that he is the President of CLIFF
 YADEN SERVICE, INC., a corporation, and that said instrument
 was signed in behalf of said corporation by authority
 of its board of directors; and he acknowledged said
 instrument to be its voluntary act and deed.

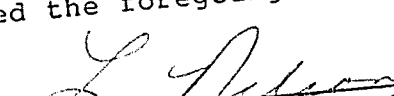
BEFORE ME:


 Notary Public for Oregon
 My commission expires: 2-3-91

STATE OF OREGON)
) ss.
 County of Klamath)

PERSONALLY APPEARED the above named CLIFFORD C.
 YADEN and ELLA YADEN and acknowledged the foregoing instrument
 to be their voluntary act and deed.

BEFORE ME:


 Notary Public for Oregon
 My commission expires: 2-3-91

AFTER RECORDING, RETURN TO:

David P. Roy, Esq.
 1200 The Bank of California Tower
 707 S.W. Washington Street
 Portland, Oregon 97205

SEND TAX STATEMENTS TO:

Gull Industries, Inc.
 P.O. Box 24687
 Seattle, Washington 98124

EXHIBIT A

The following described real property in Klamath County, Oregon:

PARCEL 1

The following described Parcels of real property situate in the City of Klamath Falls, Oregon; Being portions of Tract 805, ENTERPRISE TRACTS:

Parcel 1a

A tract or parcel of land lying at the intersection of Washburn Way and South Sixth Street more particularly described as follows:

Beginning at the Southwest corner of the intersection of South Sixth Street and Washburn Way, running thence along the Southerly line of South Sixth Street in a Westerly direction 75 feet along South Sixth Street to a point; thence Southerly at right angles to South Sixth Street 135 feet to a point; thence Easterly and parallel to South Sixth Street to the Westerly right of way line of Washburn Way as the same is now located; thence Northerly along the Westerly right of way line of Washburn Way to the place of beginning.

Parcel 1b

Beginning at a point on the Westerly right of way line of Washburn Way, which point is 30 feet West of the line between Sections 3 and 4, Township 39 South, Range 9 East of the Willamette Meridian, which point is the Southeast corner of Tract 805 of ENTERPRISE TRACTS, a platted subdivision of Klamath County, Oregon; thence North $0^{\circ} 00\frac{1}{2}'$ West, along the West line of said Washburn Way, a distance of 224.85 feet more or less to the most Southerly corner of a tract heretofore conveyed to John T. Smith and Cliff C. Yaden; thence North $55^{\circ} 50'$ West along a line parallel to and 135 feet distant from the present Southwesterly right of way line of South Sixth Street of the City of Klamath Falls, Oregon, as widened by the Oregon State Highway Department in 1946, a distance of 166.6 feet, more or less to the Southwesterly corner of said tract heretofore conveyed to John T. Smith and Cliff C. Yaden, which is the true point of beginning; thence North $34^{\circ} 10'$ East 135 feet, more or less to said Southwesterly line of South Sixth Street; thence North $55^{\circ} 50'$ West along said Southwesterly line of South Sixth Street, 115 feet more or less to the most Easterly corner of parcel heretofore conveyed to George F. Hayes and Clara May Hayes; thence South $34^{\circ} 10'$ West at right angles to said South Sixth Street, a distance of 135 feet; thence South $55^{\circ} 50'$ East 115 feet to the true point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 19th day of April A.D., 19 88 at 1:51 o'clock P M., and duly recorded in Vol. M88, of Deeds on Page 6799.

FEE \$25.00

Evelyn Biehn County Clerk
By Bernetha L. Letch