

WARRANTY DEED - INDIVIDUAL

AFTER RECORDING RETURN TO:

DAVID WAYNE DOTY

MARY KATHLEEN DOTY

ELLEN LAVONE BONSER

3950 HOMEDALE RD #70

KLAMATH FALLS, OR 97603

UNTIL A CHANGE IS REQUESTED ALL TAX
STATEMENTS TO THE FOLLOWING ADDRESS:
SAME AS ABOVE

KATHRYN LOUISE HUGHES FKA KATHRYN LOUISE HAWKINS hereinafter
called grantor, convey(s) to DAVID WAYNE DOTY AND MARY KATHLEEN
DOTY AND ELLEN LAVONE BONSER, NOT AS TENANTS IN COMMON, BUT WITH
FULL RIGHTS OF SURVIVORSHIP all that real property situated in
the County of Klamath, State of Oregon, described as:

A TRACT OF LAND BEING A PORTION OF LOT 73, FAIR ACRES
SUBDIVISION NO. 1 SITUATED IN THE NE1/4SE1/4 OF SECTION 35,
T38S, R9EWM, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED
AS FOLLOWS:

BEGINNING AT A POINT N 00 DEGREES 05'52"W, ALONG THE LOT LINE,
38.1 FEET AND S 78 DEGREES 57'48" E 5.10 FEET FROM THE SOUTHWEST
CORNER OF SAID LOT 73; THENCE S 78 DEGREES 57'48" E 192.01
FEET, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE ENTERPRISE
IRRIGATION DISTRICT CANAL, TO A POINT ON THE SOUTH LINE OF SAID
LOT 73, 193.4 FEET N 89 DEGREES 53'30" E OF THE SOUTHWEST CORNER
OF SAID LOT 73; THENCE N 89 DEGREES 53'30" E, ALONG THE SOUTH
LINE OF SAID LOT 73, 306.78 FEET TO THE SOUTHEAST CORNER OF THAT
TRACT OF LAND DESCRIBED IN DEED VOLUME M-85 PAGE 4330; THENCE N
00 DEGREES 07'47" W, ALONG THE EAST LINE OF SAID TRACT, 155.00
FEET; THENCE S 89 DEGREES 53'30" W, PARALLEL TO THE SOUTH LINE
OF SAID LOT 73, 495.10 FEET; THENCE S 00 DEGREES 05'52" E,
PARALLEL TO THE WEST LINE OF SAID LOT 73, 117.89 FEET TO THE
POINT OF BEGINNING, CONTAINING 1.68 ACRES WITH BEARINGS BASED ON
THE SURVEY OF MAJOR LAND PARTITION NO. 9-88.

SUBJECT TO:

1. Conditions, restrictions as shown on the recorded plat of Fairacres No. 1.
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Enterprise Irrigation District.
3. Reservation, including the terms and provisions thereof, as set forth in Deed recorded in Book 100 at page 545 of Deed Records of Klamath County, Oregon.
4. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Basin Improvement District and Klamath Basin Improvement District 0 & M.

Subject to the terms and provisions of that certain instrument recorded July 24, 1970 in Volume M-70 at page 6187 as "Notice to persons intending to Plat lands within the Klamath Basin Improvement District."

5. Regulations, including levies, liens, assessments, rights of way and easements of the South Suburban Sanitary District, and as per Ordinance No. 29, recorded May 24, 1983 in Book M-83 at page 8062 and as per Ordinance no. 30, recorded May 30, 1986 in Book M-86 at page 9346 and as per Ordinance kno. 31, recorded January 6, 1988 in Book M-88 at page 1207.
6. Agreement, kby and between Robin M. Hawkins and Kathryn L. Hawkins and John L. Lundberg, dated March 22, 19854, recorded March 25, 1985 in Book M-85 at page 4377, which cites in part as follows:
"...concerning access to kthe Enterprise Irrigation ditch for
Continued on next page

MAY 25 AM 10 48

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WARRANTY DEED - INDIVIDUAL
PAGE 2

purposes of irrigating the East six acres of Tract 73. Also granted is the right to place a water pump in the Enterprise Irrigation Ditch and run an electrical line to said pump. The intent of both parties is to convey to John L. Lundberg whatever irrigation rights that were enjoyed by Tract 73 before it was divided.

8. Easement as disclosed by instrument:

Recorded : March 25, 1985
Book : M-85
Page : 4330

which cites in part as follows:

"...easement may also be used as access to the balance of Lot 73 directly East of said parcel described above."

Handwritten:
DWD
EJB
MKD

"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."

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except those set out above.

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$9,350.00.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument this 24th day of MAY 1988.

Signature of Kathryn Louise Hughes
KATHRYN LOUISE HUGHES FKA
KATHRYN LOUISE HAWKINS

STATE OF OREGON, County of KLAMATH ss.

Personally appeared the above named KATHRYN LOUISE HUGHES FKA KATHRYN LOUISE HAWKINS and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me, *Sandra Handsaker*
Notary Public for Oregon
My Commission Expires: 07/23/89

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 25th day of May A.D., 19 88 at 10:48 o'clock A M., and duly recorded in Vol. M88 of Deeds on Page 8085

FEE \$15.00

Evelyn Biehn County Clerk

By *Sandra Handsaker*

Continued on next page