

ORIGINAL (3)

89857

Vol. 288 Page 12211

KNOW ALL PERSONS BY THESE PRESENTS, made as of this 29th day of July, 1988, that Barney Calmes, the Personal Representative of the Estate of FLORENCE CALMES, Deceased, Grantor, does hereby distribute and convey unto BARNEY CALMES, Grantee, all of the right, title, estate and interest of said Decedent and her Estate in and to the following described property, to wit:

PARCEL TWO:

The entire fee simple interest in a Tract of Real Property located in Sections 16, 17, 20 and 21, Twp. 40 S.R. 8 E.W.M. Klamath County, Oregon, which is the same Tract of Real Property of which an undivided one-half interest was conveyed by the Deed recorded in Vol. M-68 at page 9474 and which is shown in the Map of Ownership, Estate of Tom Calmes, made by Julian M. Ager, Registered Surveyor, for the Estate of Tom Calmes, dated April 7, 1967 and which is more particularly described as follows: Beginning at the Northwest Corner of Section 17, Twp. 40 S.R. 8 E.W.M. Klamath County, Oregon; Thence running South 89°48'27" East along the North Boundary of said Section 17 a distance of 1342.8 feet, more or less, to the East Boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 17; Thence, South 0°06' East along said East Boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17 a distance of 365.5 feet to the Easterly Right of Way Boundary of the Keno-Worden Highway as constructed on November 20, 1965; Thence, South 28°53' East along said Keno-Worden Highway Right of Way Boundary a distance of 705.1 feet to the most Southwesterly corner of the Tract of Land conveyed by Tom Calmes and Florence Calmes to John E. Kite by Deed dated September 21, 1960 and recorded in Vol. 357 at page 154 of Klamath County, Oregon Deed Records on October 26, 1964 and which said Tract of Land is shown in Map of Survey made by Julian M. Ager, Registered Oregon Land Surveyor for Tom Calmes, dated September 13, 1960 and filed in the office of the Klamath County Surveyor on September 19, 1960, as Survey No. 531; Thence, running along the South Boundary of said Kite Tract of Land South 84°48' East a distance of 546.0 feet, South 69°33' East 829.5 feet, North 32°31' East 303.2 feet, South 58°53' East 31°07' East 848.4 feet to the center line of said Canal, North along the center line of said Canal South 58°53' East 2707.5 feet and South 65°59' East 390.0 feet to the most Southeasterly Corner of said Kite Tract of land described and recorded in Vol. 357 at page 154 of Klamath County, Oregon Deed Records and shown on Map of Survey No. 531 of Klamath County, Oregon Survey Records, said Corner being situated on the Shore Line of the Klamath River and being THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

Thence, North 65°59' West along the South Boundary of said Kite Tract of Land recorded in Vol. 357 at page 154 of Deed Records and shown in said Map of Survey No. 531 a distance of 390.0 feet to its intersection with an existing woven wire and barbed wire fence bearing Southwesterly which fence line is the same boundary fence line described in the Deed recorded in Vol. M-68 at page 9472 and in the Deed recorded in Vol. M-68 at page 9474; Thence, leaving said Kite Boundary Line and running Southwesterly along said fence line and line extended to a point on the East Boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17, which is South 280 feet, more or less, from the Northeast corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; Thence, South along the East Boundary of said Section 17 a distance of 1,040 feet, more or less, to the Southeast Corner

of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17; Thence, West along the South Boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17 to its intersection with the Easterly Right of Way Boundary of the Keno-Worden Highway; Thence, Southeasterly along said Highway Right of Way Boundary to the East Boundary of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 21. Thence, North along said East Boundary of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 21 to the North Boundary Line of said Section 21, which is also the South Boundary Line of Section 16; Thence, West along said common Boundary line of Sections 16 and 21 to the Southeast Corner of Lot 3 of Section 16; Thence, North along the East Boundary Line of said Lot 3 to its intersection with the Klamath River; Thence, Northerly along the Klamath River to the True Point of Beginning.

PARCEL THREE:

An undivided one-half interest in a Tract of Real Property in Sections 16 and 17, Twp. 40 S.R. 8 E.W.M. Klamath County, Oregon lying Easterly of the Keno-Worden road as constructed on November 20, 1965, which is the same Tract of Real Property of which an undivided one-half interest was conveyed by the Deed recorded in Vol. M-68 at page 9472 and which is shown in the Map of Ownership, Estate of Tom Calmes, made by Julian M. Ager, Registered Surveyor, for the Estate of Tom Calmes, dated April 7, 1967 and which is more particularly described as follows: Beginning at the Northwest Corner of Section 17, Twp. 40 S.R. 8 E.W.M.; Thence running South 89°48'27" East along the North Boundary of said Section 17 a distance of 1342.8 feet, more or less, to the East Boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17; Thence, South 0°06' East along said East Boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17 a distance of 365.5 feet, to the Easterly Right of Way Boundary of the Keno-Worden Highway as constructed on November 20, 1965; Thence, South 28°53' East along said Keno-Worden Highway Right of Way Boundary a distance of 705.1 feet to the most Southwesterly Corner of the Tract of Land conveyed by Tom Calmes and Florence Calmes to John E. Kite by Deed dated September 21, 1960 and recorded in Vol. 357 at Page 154 of Klamath County Oregon Deed Records on October 26, 1964, and which said Tract of Land is shown in Map of Survey made by Julian M. Ager, Registered Oregon Land Surveyor, for Tom Calmes, dated September 13, 1960 and filed in the office of the Klamath County Surveyor on September 19, 1960, as Survey No. 531, and which said Corner is **THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.**

Thence running along the South Boundary of said Kite Tract of Land South 84°48' East 546.0 feet, South 69°33' East 829.5 feet to a half inch rod; and thence continuing along said Kite South Boundary Line, North 32°31' East 308.2 feet, South 58°53' East parallel to an existing Irrigation Canal 1108.8 feet, North 31°07' East 848.4 feet to the center line of said Canal, thence along the center line of said Canal South 58°53' East 2707.5 feet to the intersection of said Kite South Boundary with an existing woven wire and barbed wire fence bearing Southwesterly which fence line is the same boundary fence line described in the Deed recorded in Vol. M-68 at page 9474 and in the Deed recorded in Vol. M-68 at page 9472; Thence, leaving said Kite Boundary Line and running Southwesterly along said fence line and line extended to a point on the East Boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 17, which is South 280 feet, more or less, from the Northeast Corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; Thence, North along said East Boundary Line of said Section 17 a distance of 280 feet, more or less, to the Northeast Corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17; Thence, West along the North line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northwest Corner thereof; Thence South along the West Line of

said N1/4SE1/4 to the Easterly Right of Way Boundary Line of the Keno-Worden Highway as constructed on November 20, 1965; Thence, Northwesterly along said Right of Way Boundary Line of the Keno-Worden Highway to its intersection with the Easterly Line of the Tract of Land containing the Calmes Family House and approximately 4.4 acres upon which it is situated as shown in Map of Survey made by Julian Ager, Registered Oregon Land Surveyor, for Tom Calmes, dated November 20, 1965, and filed in the office of the Klamath County Surveyor on February 23, 1966 as Survey No. 1080, being described therein as a Tract of Real Property adjacent to that Tract of Land recorded in Volume 350 at page 490 of Deed Records and which is the same Tract of Land as the Family House and approximately 4.4 acres of which an undivided one-half interest was conveyed by the Deed recorded in Vol. 350 at Page 9474, Deed Records; Thence, North 32°31' East a distance of 523.04 feet, more or less, along said Easterly Boundary of said Calmes House Tract to a 3/4 inch galvanized iron pipe at the Northeast Corner of said Calmes House Tract; Thence, North 69°33' West a distance of 150.3 feet along the Northerly Boundary line of said Calmes House Tract to a 3/4 inch galvanized iron pipe at the Southeast Corner of the Tract of Land recorded in Vol. 350 at Page 490 of Klamath County, Oregon Deed Records; Thence North 32°31' East a distance of 436.0 feet along the East line of said Tract of Land recorded in Vol. 350 at Page 490 to the Northeast Corner thereof which said Northeast Corner is South 32° 31' west a distance of 30.68 feet, more or less, from said half inch iron rod on the Kite South Boundary Line which is also the North Boundary Line of this Tract of Real Property; Thence, continuing North 69°33' West along the North line of said Tract of Land recorded in 350 at page 490 a distance of 175.0 feet to the Northwest Corner of said Tract of Land; Thence, South 32°31' West along the East Line of said Tract 436.0 feet to its Southwest Corner, which is also the Northwest Corner of said Calmes Family House Tract of Land; Thence, South 32°31' West along the West line of said Calmes House Tract a distance of 395.48 feet, more or less, to the Easterly Right of Way Boundary Line of the Keno-Worden Highway; Thence, Northwesterly along said Right of Way Line of the Keno-Worden Highway to the most Southeasterly Corner of Parcel No. 2 conveyed to Theodore Buckingham and Monniette Buckingham, husband and wife, by Deed recorded in Vol. 325 at page 460 of Klamath County, Oregon Deed Records; Thence, along the Boundaries of said Parcel No. 2, North 18°47' East 455.7 feet and North 71°13' West 700.0 feet to the Easterly Right of Way Boundary Line of the Keno-Worden Highway; Thence, continuing Northwesterly along said Easterly Right of Way Boundary Line of the Keno Worden Highway to The True Point Of Beginning Of This Description.

PARCEL FOUR:

An undivided one-half interest in a Tract of Real Property in Section 17, Twp. 40 S.R. 8 E.W.M. Klamath County, Oregon, lying Westerly of the Keno-Worden Highway as constructed on November 20, 1965 which is the same Tract of Land of which an undivided one-half interest was also conveyed by the Deed recorded in Vol. M-68 at page 9472 and which is shown in the Map of Ownership, Estate of Tom Calmes, made by Julian M. Ager, Registered Surveyor, for the Estate of Tom Calmes, dated April 7, 1967 and which is more particularly described as follows: Commencing at the point of beginning of Parcel No. 12 conveyed to O'Connor Livestock Company, an Oregon Corporation, by Deed recorded in Vol. 298 at page 299. (Said Parcel No. 12 being described at pages 301 and 302 of said Deed Record) and described therein as

being on the West Line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 17, distant 927.0 feet from the Southeast Corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Said Section 17; Thence, East along the North Boundary of said Parcel No. 12 a distance of 534.0 feet to the most Southeasterly Corner of Parcel No. 1 conveyed to Theodore Buckingham and Monniette Buckingham, husband and wife, by Deed recorded in Vol. 325 at page 460 of Klamath County, Oregon Deed Records which said Corner is **THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;** Thence, continuing East along the North Boundary of said Parcel 12 to the Westerly Right of Way Boundary Line of the Keno-Worden Highway; Thence, Northerly along said Westerly Right of Way Boundary Line of the Keno-Worden Highway to its intersection with the South Boundary Line of the Tract of Land containing the Calmes Family House and approximately 4.4 acres upon which it is situated as shown in Map of Survey made by Julian Ager, Registered Oregon Land Surveyor, for Tom Calmes, dated November 20, 1965 and filed in the office of the Klamath County Surveyor on February 23, 1966 as Survey No. 1080, being described therein as a Tract of Real Property adjacent to that Tract of Land recorded in Vol. 350 at page 490 of Deed Records and is the same Tract of Land of which an undivided one-half interest was conveyed by Deed recorded in Vol. M68 at page 9474 of Klamath County, Oregon Deed Records; Thence, North 89°36'30" West along said South Boundary Line of said Calmes Family House Tract 306.38 feet to the Southwest Corner of said Parcel; Thence, North 32° 31' East along the Westerly Boundary Line of said Calmes Family House Tract 211.48 feet to said Westerly Right of Way Boundary Line of the Keno-Worden Highway; Thence Northwesterly along said Right of Way Boundary Line to the Boundary Line of said Parcel No. 1 recorded in Vol. 325 at Page 460 of Klamath County Deed Records; Thence, South 19°22' West along said Boundary Line of said Parcel No. 1 a distance of 619.64 feet, more or less, to its intersection with the North Boundary Line of said Parcel No. 12 and the True Point of Beginning of this description.

SUBJECT TO THE FOLLOWING LAW:

"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 of County Planning Department to verify approved uses." ORS 93.040

TO HAVE AND TO HOLD the above described premises and their appurtenance unto the said Grantee, and his heirs, devisees and grantees, forever.

This conveyance is made in accordance with the Decree of Final Distribution made on July 27, 1988, by the Probate Judge of the Circuit Court of the State of Oregon for Klamath County in the Matter of the Estate of Florence Calmes, Deceased, Case No. 86-61 PR in said Court wherein said property was Decreed to be vested in said Grantee as above set forth, and I certify that no consideration as defined by ORS 93.030 has been paid for this property.

WITNESS the hand of the Personal Representative the date first herein written.

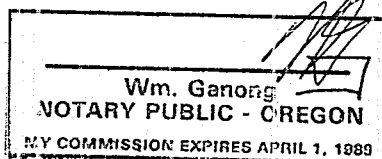
Barney Calmes
Barney Calmes

As Personal Representative of the
Estate of Florence Calmes, Deceased.

STATE OF OREGON)
) SS
County of Klamath)

On this 29th day of July, 1988 personally appeared Barney Calmes, known to me to be the person described in the foregoing Instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

BEFORE ME:



[Signature]
Notary Public for Oregon

Until a change is requested all Tax Statements shall be sent to the following address:

Barney Calmes
P. O. Box 42
Keno, OR 97627

After Recording Return to:

Barney Calmes
P. O. Box 42
Keno, OR 97627

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 29th day
of July A.D., 19 88 at 4:03 o'clock P.M. and duly recorded in Vol. M88
of Deeds on Page 12211

FE: \$23.00

Evelyn Biehn County Clerk

By [Signature]