

93029

DEED OF RECONVEYANCE Vol. m88 Page 17938

KNOW ALL MEN BY THESE PRESENTS, That the undersigned trustee or successor trustee under that certain trust deed dated August 12, 1977, executed and delivered by DAVID C. ELLIOTT and ELOISE J. ELLIOTT as grantor and recorded on August 12, 1977, in the Mortgage Records of Klamath County, Oregon, in book/reel/volume No. M77 at page 14722, or as document/tee/file/instrument/microfilm No. (indicate which), conveying real property situated in said county described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

having received from the beneficiary under said trust deed a written request to reconvey, reciting that the obligation secured by said trust deed has been fully paid and performed, hereby does grant, bargain, sell and convey, but without any covenant or warranty, express or implied, to the person or persons legally entitled thereto, all of the estate held by the undersigned in and to said described premises by virtue of said trust deed.

In construing this instrument and whenever the context hereof so requires, the singular includes the plural.

IN WITNESS WHEREOF, the undersigned trustee has executed this instrument; if the undersigned is a corporation, it has caused its name to be signed and its seal affixed by its officers, duly authorized thereto by its Board of Directors.

DATED: 22 October, 1988.

George C. Reinmiller

(If executed by a corporation, affix corporate seal.)

(If the trustee who signs above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,

County of Multnomah } ss.

This instrument was acknowledged before me on 22 October, 1988 by

George C. Reinmiller

Debra Johnson
Notary Public for Oregon
My commission expires: 2/09/92

Successor-Trustee

STATE OF OREGON,

County of } ss.

This instrument was acknowledged before me on 19, by

as of

Notary Public for Oregon

My commission expires:

(SEAL)

GRANTOR'S NAME AND ADDRESS

David C. & Eloise J. Elliott
616 Conger Avenue
Klamath Falls, OR 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

Klamath First Federal
P. O. Box 5270
Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

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

Klamath First Federal
P. O. Box 5270
Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

SPACE RESERVED
FOR
RECORDER'S USE

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/reel/volume No. on page or as tee/file/instrument/microfilm/reception No. Record of Mortgages of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By Deputy

DESCRIPTION

PARCEL 1

A tract of land situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being more particularly described as follows:

Beginning at a chiseled cross on a stone monument buried in the ground, said stone being North 41° East a distance of 1094 feet, more or less, by record from the one-fourth corner common to Sections 31 and 32, Township 38 South, Range 9 East of the Willamette Meridian, and from which stone monument a nail in a tree bears South 33° 53' East a distance of 18.46 feet, the center insulator on a electrical transmission tower bears North 86° 30' West and power pole K 4754 bears North 59° 11' East; thence South 37° 29' 10" East a distance of 206.81 feet to a one-half inch iron pipe set in concrete on the Southerly edge of the Barnhisel entrance road; thence South 47° 31' 00" West 230.92 feet to a one-half inch iron pin; said point being the True Point of Beginning of this description; thence continuing South 47° 31' 00" West 37.00 feet to a one-half inch iron pin; thence North 46° 43' 00" West 75.00 feet; thence North 34° 31' 00" West 45.78 feet; thence North 56° 33' 30" East 147.27 feet to a one-half inch iron pin; thence South 33° 32' 00" East 79.97 feet to a one-half inch iron pin; thence South 47° 31' 00" West 96.82 feet to a one-half inch iron pin; thence South 42° 29' 00" East 18.00 feet to the True Point of Beginning.

SUBJECT TO a 6 foot wide easement connecting tennis court and swimming pool areas for the exclusive use of owners of common ground and their guests situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being more particularly described as follows:

Beginning at a chiseled cross on a stone monument buried in the ground, said stone being North 41° East a distance of 1094 feet, more or less, by record from the one-fourth corner common to Sections 31 and 32, Township 38 South, Range 9 East of the Willamette Meridian; thence South 37° 29' 10" East a distance of 206.81 feet; thence South 47° 31' 00" West 267.92 feet; thence North 46° 43' 00" West 75.00 feet; said point being the True Point of Beginning of this description, said easement to be six feet in width and on the right side of the following described line; thence North 34° 31' 00" West 45.78 feet; thence North 56° 33' 30" East 147.27 feet.

PARCEL 2

An undivided one-third interest in an existing private road right of way situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being more particularly described as follows:

Beginning at a chiseled cross on a stone monument buried in the ground, said stone being North 41° East a distance of 1094 feet, more or less, by record from the one-fourth corner common to Sections 31 and 32, Township 38 South, Range 9 East of the Willamette Meridian, thence South 37° 29' 10" East a distance of 206.81 feet, said point being the True Point of Beginning of this description; thence South 47° 31' West 230.92 feet; thence North 42° 29' West 18.00 feet; thence North 47° 31' East 235.25 feet; thence North 69° 39' East 52.37 feet; thence South 52° 00' East along said line 28.00 feet; thence South 74° 34' West 64.53 feet to the True Point of Beginning.

SUBJECT TO: The provisions contained in that certain agreement, dated June 18, 1974, between Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, and Harry D. Boivin and Vivian M. Boivin, husband and wife, that said private road right of way shall be appurtenant to the real property then owned by said Howard Barnhisel and Maybelle E. Barnhisel, which said real property is more particularly described as Parcel 1 and Parcel 2 in Deed from Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, to the California Oregon Power Company, dated May 16, 1947, and recorded May 22, 1947 in Deed Volume 206, page 429, Records of Klamath County, Oregon, and that the cost of maintenance of said driveway shall be shared equally between the owners of the property adjacent to said driveway and that the use of said driveway shall not be impaired by any of the parties, their heirs and assigns, and that no portion of said driveway shall be used for the parking of trailers, boats or recreational vehicles of any kind.

An undivided one-third interest in and to the two tracts of common ground more particularly described as follows:

The Swimming Pool Tract described as follows:

A tract of land situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being more particularly described as follows:

Beginning at a chiseled cross on a stone monument buried in the ground, said stone being North 41° East a distance of 1094 feet, more or less, by record from the one-fourth corner common to Sections 31 and 32, Township 38 South, Range 9 East of the Willamette Meridian; thence South 52° 00' 00" East along the Northerly line of the Barnhisel property 19.00 feet; thence South 50° 08' 40" West 28.79 feet; thence South 26° 26' 30" East 30.84 feet, thence South 37° 51' 20" East 42.04 feet; said point being the True Point of Beginning of this description; thence continuing South 37° 51' 20" East 72.83 feet; thence South 06° 16' 20" East 32.80 feet; on the Northwesterly line of that easement recorded in Deed Volume 206, page 429, and Deed Volume 328, page 538, as recorded in the Klamath County Deed Records; thence South 47° 31' 00" West along said easement line 89.33 feet; thence North 33° 32' 00" West 79.97 feet; thence North 56° 33' 30" East 60.78 feet; thence North 37° 51' 20" West 32.92 feet; thence North 52° 08' 40" East 39.60 feet to the True Point of Beginning.

The Tennis Court Tract described as follows:

A tract of land situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being more particularly described as follows:

Beginning at a chiseled cross on a stone monument buried in the ground, said stone being North 41° East a distance of 1094 feet, more or less, by record from the one-fourth corner common to Sections 31 and 32, Township 38 South, Range 9 East of the Willamette Meridian; thence South 37° 29' 10" East a distance of 206.81 feet; to a one-half inch iron pipe set in concrete on the Southerly edge of the Barnhisel entrance road; thence South 47° 31' 00" West 267.92 feet; thence North 46° 43' 00" West 75.00 feet; thence North 34° 31' 00" West 45.78 feet to a one-half inch iron pin; said point being the True Point of Beginning of this description; thence continuing North 34° 31' 00" West 180.33 feet; thence North 56° 02' 30" East 67.01 feet; thence South 33° 59' 09" East 180.91 feet; thence South 56° 33' 30" West 65.34 feet to the True Point of Beginning.

SUBJECT TO: A perpetual non-exclusive easement to be forever appurtenant to and for the benefit of Grantors' said adjoining premises, as the same now are or may hereafter be subdivided, in the existing spring, lily pond and swimming pool drain pipe which runs across Parcels 2 and 3.

SUBJECT TO: A perpetual easement for a sewer line across the Tennis Court Tract of Parcel 3 from Grantors' remaining premises to the City of Klamath Falls sewer line which runs along the East Bank of Link River to provide sewage service for and to be for ever appurtenant to the Grantors' said remaining premises as the same now are or may hereafter be subdivided, together with right of ingress and egress to said sewer line for the purpose of maintaining, repairing and replacing the same as needed. The description of said sewer line being a four foot strip with the center line being described as follows:

Beginning at a point on the Northeasterly boundary of Tennis Court Tract (Parcel 3) which is South 33° 59' 09" East 34.00 feet from the most Northerly corner of said Tennis Court Tract; thence Southwesterly to a point on the Southwesterly boundary of Tennis Court Tract which is South 34° 31' West 31.8 feet from the most Westerly corner of said Tennis Court Tract.

NOTE: THE FOLLOWING EASEMENT appurtenant to the herein on which insurance is not furnished.

TOGETHER WITH: A perpetual, non-exclusive easement to and right to use the existing irrigation system to irrigate said Parcels 1 and 3, but reserving unto the Grantors and other adjacent Landowners, whose premises are also irrigated by said existing irrigation system, a like perpetual easement and right to use said existing irrigation system to irrigate their said lands, and the Vendees, their heirs, grantees and assigns covenant and agree to pay their pro-rata share of the cost of maintaining, repairing and replacing said irrigation system as needed.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co.
of October 88 at 4:13 o'clock P. M., and duly recorded in Vol. M88
of Mortgages on Page 17938.

FEE \$ 18.00

Evelyn Biehn County Clerk

By Pauline Mullendare