

95527

WARRANTY DEED

Vol. m89 Page 179

KNOW ALL MEN BY THESE PRESENTS, That Melvin J. Hilbert

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Robert Kirk Haase, 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:

All the following described real property situate in Klamath County, Oregon:

PARCEL 1: A tract of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 40 South, Range 12 E.W.M. and more particularly described as follows:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34, extending thence North on the 40 line a distance of 520 feet; thence East 335 feet; thence South 520 feet to the South line of said Section 34; thence West on the South line of said Section a distance of 335 feet to the point of beginning.

SAVING AND EXCEPTING that portion described in Deed Volume 213 page 279, Described as follows: Beginning at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34 Township 40 South Range 12 East of the Willamette Meridian, running East 335 feet; thence North 30 feet; thence West 335 feet, thence South 30 feet to the place of beginning.

PARCEL 2: Beginning at a point in the West line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, Township 40 South, Range 12 E.W.M. a distance of 520 feet North of the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34, extending thence East 335 feet; thence North to the Southerly boundary of the Shasta View Irrigation Canal as now constructed; thence Northwesterly along the (see reverse side)

(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

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 \$19,500.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols ®, 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 20 day of November, 1979; 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.

Melvin J. Hilbert

STATE OF Arizona)
NOTARY County of Maricopa) ss.
This instrument was acknowledged before me this 27th day of November, 1979, by Melvin J. Hilbert

Phyllis A. Kerney
Notary Public

My commission will expire: 2-28-82

TI-27

Melvin J. Hilbert
326 E. Earll Drive
Phoenix, Arizona 85012
GRANTOR'S NAME AND ADDRESS

Robert Kirk Haase
9431 Hill Road
Klamath Falls, Oregon 97601
GRANTEE'S NAME AND ADDRESS

After recording return to:
Robert Kirk Haase
9431 Hill Road
Klamath Falls, Oregon 97601
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:
Robert Kirk Haase
9431 Hill Road
Klamath Falls, Oregon 97601
NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.
County of _____

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.

By _____ Recording Officer
Deputy

(CONTINUATION OF DESCRIPTION)

Southerly boundary line of said canal to its intersection with the West line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 34; thence South to the place of beginning, being a portion of the E $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 34.

SUBJECT TO: 1. Acreage and use limitations under provisions of United States Statutes and regulations issued thereunder.

2. Rules, regulations, liens, assessments, contracts, rights of way, easements, and any and all obligations created or imposed upon or affecting said premises by the Klamath Basin Improvement District, a corporation.

3. Grant of Right of Way, including the terms and provisions thereof, given by Gene Hall to The California Oregon Power Company, a California corporation, dated July 7, 1950, recorded July 13, 1950, in Volume 240 page 220, Deed Records of Klamath County, Oregon.

4. Reservations in deed from Michael J. McAuliffe, et ux., to Charley Fort, dated April 15, 1946, recorded April 15, 1946, on page 429, of Vol. 187 of Deeds, as follows: "Grantor reserve the right to drain all of their drainage water from their adjacent property on the land herein deeded to the grantee herein."

5. Grant of Right Way including the terms and provisions thereof, given by Mary McAuliffe and Michael J. McAuliffe, wife and husband, to The California Oregon Power Company, a California Corporation, dated July 6, 1950, recorded July 13, 1950, in Volume 240 page 222, Deed Records of Klamath County, Oregon.

6. Grant of Right of Way, including the terms and provisions thereof, given by Michael J. McAuliffe and Mary McAuliffe, husband and wife, to The California Oregon Power Company, a California Corporation, dated May 25, 1957, recorded June 5, 1957, in Volume 292, page 196, Deed Records of Klamath County, Oregon.

7. Easement, including the terms and provisions thereof, given by Melvin J. Hilbert to Shasta View Irrigation District, recorded July 17, 1974 in Microfilm M-74 on page 8738, records of Klamath County, Oregon.

Said Easement was conveyed by Shasta View Irrigation District to United States of America by Deed recorded in M-75 on page 13760 and re-recorded in M-75 on page 14318, records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath First Federal the 3rd day of Jan. A.D. 19 89 at 11:21 o'clock A M., and duly recorded in Vol. M89 of Deeds on Page 17.
Evelyn Biehn County Clerk
By Pauline Mullendore

FEE \$13.00

RECORDED TO STATE
COUNTY OF
Klamath
Record of Deeds
County Clerk

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