

95755

MTC-201612

KNOW ALL MEN BY THESE PRESENTS, That Joseph E. Johnson and Evelyn M. Johnson, Trustees of the Johnson Family Trust

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Thomas W. Garbutt

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:

Refer to the attached legal

MOUNTAIN TITLE COMPANY

"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."

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 except as attached and those apparent upon the said, if any, as of the date of this deed.

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 \$ 125,000.00

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 5th day of January, 1989, 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.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Klamath
1-5-

19 89

Personally appeared the above named
Joseph E. Johnson and
Evelyn M. Johnson, Trustees

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires: 7/13/89

STATE OF OREGON, County of

Personally appeared

each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires:

Joseph E. Johnson and Evelyn M. Johnson

GRANTOR'S NAME AND ADDRESS

Thomas Garbutt
110 North 7th Street
Klamath Falls, Oregon 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

Grantee

NAME, ADDRESS, ZIP

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

Grantee

NAME, ADDRESS, ZIP

STATE OF OREGON,

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.

Recording Officer

By

Deputy

LEGAL DESCRIPTION

The East one-half of the Northeast quarter (E1/2 NE1/4) of Section 32, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon

EXCEPTING that portion deeded to United States of America by deeds recorded on page 438 of Volume 37 and on page 488 of Volume 97 of Deed Records of Klamath County, Oregon;

AND FURTHER EXCEPTING the portion of the Northeast quarter of the Northeast quarter (NE1/4 NE1/4) of Section 32, Township 39 South, Range 9 East of the Willamette Meridian, which is described as follows:

Beginning at the Northeast corner of said Section 32, as marked by a 5/8" iron pin in a monument case; thence South on the East line of said Section 736.00 feet; thence South 86 degrees 24' 00" West along the center of a board fence 1320 feet, more or less to a point on the West line of said NE1/4 of the NE1/4; thence Northerly 809 feet, more or less, to the Northwest corner of said NE1/4 of the NE1/4; thence Easterly 1317 feet, more or less, to the point of beginning.

Tax Account No: 3909-03200-00600

EXCEPTIONS

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
3. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.
4. An easement created by instrument, subject to the terms and provisions thereof;
 Dated: September 3, 1941
 Recorded: September 12, 1941
 Volume: 141, page 76 Deed Records of Klamath County, Oregon
 In Favor of: California Oregon Power Company
 For: Right of way for power lines
5. An easement created by instrument, subject to the terms and provisions thereof;
 Dated: March 20, 1950
 Recorded: April 17, 1950
 Volume: 238, page 406 Deed Records of Klamath County, Oregon
 In Favor of: California Oregon Power Company
 For: Right of way for power lines
6. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;
 Dated: November 22, 1976
 Recorded: December 30, 1976
 Volume: M76, page 20938 Microfilm Records of Klamath County, Oregon
 Amount: \$65,000.00
 Mortgagor: Joseph E. Johnson and Evelyn Johnson, husband and wife
 Mortgagee: Federal Land Bank of Spokane
 SAID MORTGAGE GRANTEE AGREES TO ASSUME AND PAY IN FULL.

7. Mortgage, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein;

Dated: August 21, 1987

Recorded: August 21, 1987

Volume: M87, page 15082 Microfilm Records of Klamath County, Oregon

Amount: \$240,703.91

Mortgagor: Rocking C Ranch

Mortgagee: United States of America acting through the Farmers Home Administration

SAID MORTGAGE GRANTEE ON THIS DEED AGREES TO ASSUME AND PAY.

8. Pasture Lease Agreement, subject to the terms and provisions thereof,

Dated: April 23, 1988

Recorded: September 12, 1988

Volume: M88, page 14892, Microfilm Records of Klamath County, Oregon

Lessor: J. E. Johnson and E. M. Johnson

Lessee: William B. Bond and Robert T. Bond

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 6th day
of Jan. A.D., 19 89 at 11:53 o'clock AM., and duly recorded in Vol. M89,
of Deeds on Page 350.
Evelyn Biehn County Clerk

By *David M. Lindore*

FEE \$18.00