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Aspen 33040

# Aspen

TITLE & ESCROW, INC.  
WARRANTY DEED (INDIVIDUAL)

Vol. m89 Page 1041

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LEONARD R. PUTNAM and MARY JEAN PUTNAM, Husband and Wife

, hereinafter called grantor,

convey(s) to NED PUTNAM and JUANITA PUTNAM, Husband and Wifeall that real property situated in the  
County of Klamath, State of Oregon, described as:

SEE ATTACHED EXHIBIT "A"

This Deed is being rerecorded to correct the name of the Grantees.

"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."

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER 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  
SEE ATTACHED EXHIBIT "B"

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 \$equitable exchange However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which)° (Delete between symbols° if not applicable. See ORS 93.030)

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 28<sup>th</sup> day of December,  
19 88.

Leonard R. Putnam  
Mary Jean Putnam

STATE OF OREGON, County of Klamath ss.January 3, 1989.

Personally appeared the above named Leonard R. Putnam and  
Mary Jean Putnam and acknowledged the foregoing  
instrument to be their voluntary act and deed.

Before me:

W. Darlene T. Adkins  
Notary Public for Oregon  
My Commission Expires: 3-22-89

GRANTOR'S NAME AND ADDRESS	
GRANTEE'S NAME AND ADDRESS	
After recording return to:	
<u>NED PUTNAM</u>	
<u>2742 Homedale Rd</u>	
<u>Klamath Falls Or 97603</u>	
NAME, ADDRESS, ZIP	
Until a change is requested all tax statements shall be sent to the following address.	
<u>Same as above</u>	
NAME, ADDRESS, ZIP	

SPACE RESERVED  
FOR  
RECORDER'S USE

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/reel/volume No. \_\_\_\_\_ on  
page \_\_\_\_\_ or as document/feefile/  
instrument/microfilm No. \_\_\_\_\_,  
Record of Deeds of said county.  
Witness my hand and seal of County  
affixed.

NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
By \_\_\_\_\_ Deputy

89 JAN 19 AM 11 22

89 JAN 6 PM 3 41

## EXHIBIT "A"

A tract of land situated in Government Lots 1 and 11 of Section 17 and in Government Lots 3, 4, 13 and 14 of Section 8, all in Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point on the Southeasterly right of way line of the Burlington Northern Railroad (20.00 feet left of centerline) at the terminus of the centerline of Memorial Drive from which the Southwest corner of said Section 8 bears South 77 degrees 25' 28" West 1899.07 feet; thence South 23 degrees 12' 16" East 115.07 feet to a 1/2" iron pin with Tru-Line Surveying plastic cap; thence South 20 degrees 54' 50" East 280.65 feet to a + on the Northerly steel post of a fire hydrant barrier; thence South 28 degrees 59' 20" East 492.50 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap; thence continuing South 28 degrees 59' 20" East 10 feet, more or less, to the Southerly line of said Government Lot 11, Klamath River; thence Northeasterly along said Government lot lines of Government Lots 11, 14, and 13 to the Northeast corner of that tract of land described in Deed Volume M-84 at pages 15,892 and 15,893 of the Klamath County Deed Records; thence North 61 degrees 19' 12" West, along said North line, 10 feet, more or less, to a 5/8" iron pin with Tru-Line Surveying plastic cap; thence continuing North 61 degrees 19' 12" West 207.40 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap marking the Northwest corner of said tract; thence Southerly along the West line of said tract, to a point 25.00 feet left of Point of Headblock No. 9 Turnout at Engineers Sta. 81+84.3, said point bears South 33 degrees 42' 20" West 134.82 feet from said Northwest corner; thence along the Southeasterly right of way line of said railroad South 28 degrees 40' 48" West 815.60 feet, to a point 25.00 feet left of Engineers Sta. 90+00, North 61 degrees 19' 12" West 5.00 feet, to a point 20.00 feet left of said Sta., South 28 degrees 40' 48" West 982.96 feet and along the arc of a curve to the right (radius equals 975.37 feet and central angle equals 00 degrees 27' 45") 7.87 feet to the point of beginning, with bearings based on Record of Survey No. 4200.

Continued on next page

## EXHIBIT "A" CONTINUED

SUBJECT TO: A non-exclusive easement described as follows:  
Beginning at the aforesaid point of beginning; thence South 23 degrees 12' 16" East 115.07 feet to a 1/2" iron pin with Tru-Line Surveying plastic cap; thence North 30 degrees 27' 45" East 93.53 feet to a 1/2" iron pin with Tru-Line Surveying plastic cap; thence North 17 degrees 01' 43" West 123.53 feet to a 5/8" iron pin with Tru-Line Surveying plastic cap; thence continuing North 17 degrees 01' 43" West 6.98 feet to a point on the Southeasterly right of way line of the Burlington Northern Railroad (20.00 feet left of centerline); thence along said right of way line South 28 degrees 40' 48" West 105.71 feet and along the arc of a curve to the right (radius equals 975.37 feet and central angle equals 00 degrees 27' 45") 7.87 feet to the point of beginning.

## EXHIBIT "B"

## SUBJECT TO:

## 1. Taxes for 1988-89:

Amount: \$493.05  
Balance Owning: \$328.70  
Code: 191  
Map: 3909-800  
TL #: 1200  
Key No.: 539153  
(Good thru January 15, 1989) (Covers additional property)

## 2. Taxes for 1988-89:

Amount: \$198.92  
Balance Owning: \$132.61  
Code: 191  
Map: 3909-800  
TL #: 1300  
Key No.: 539135  
(Good thru January 15, 1989) (Covers additional property)

## 3. Taxes for 1988-89:

Amount: \$4,313.20  
Balance Owning: \$2,875.46  
Code: 191  
Map: 3909-1700  
TL #: 200  
Key No.: 580124  
(Good thru January 15, 1988) (Covers additional property)

4. Waiver of Riparian Rights, including the terms and provisions thereof, recorded September 16, 1905 in Book 18 at page 346.

## 5. Easement, including the terms and provisions thereof:

For: Ingress and egress  
Granted to: H. N. Whiteline and Katie E. Whiteline  
Dated: June 24, 1926  
Recorded: June 25, 1926  
Book: 72  
Page: 45  
(No exact location given)

Continued on next page

## EXHIBIT "B" continued

## 6. Release of claim for damages, including the terms and provisions thereof:

For: Raising and lowering the water of Klamath Lake and Lake Ewauna  
In favor of: California Oregon Power Company  
Dated: October 4, 1930  
Recorded: December 24, 1931  
Book: 96  
Page: 504  
Dated: October 4, 1930  
Recorded: December 24, 1931  
Book: 96  
Page: 506  
Dated: April 8, 1931  
Recorded: December 19, 1931  
Book: 96  
Page: 429

## 7. Declaration of Conditions and Restrictions, but omitting any restrictions based on race, color, religion or national origin appearing of record:

Recorded: April 25, 1962  
Book: 337  
Page: 60  
Recorded: December 29, 1961  
Book: 334  
Page: 493

## 8. Reservation of all iron, natural gas, coal, oil and all minerals of any nature whatsoever, including the terms and provisions thereof:

Dated: August 21, 1969  
Recorded: August 29, 1969  
Book: M-69  
Page: 7511

## 9. Easement, including the terms and provisions thereof:

For: Overhang easement and transmission lines  
Granted to: Pacific Power & Light Company  
Dated: December 9, 1965  
Recorded: December 16, 1965  
Book: M-65  
Page: 4728

## 10. Rights of the public and of governmental bodies in and to any of the above described property lying below the high water line of the Klamath River.

Continued on next page

## EXHIBIT "B" continued

11. Any adverse claim based upon the assertion that:
- (a) Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Klamath River
  - (b) Some portion of said land has been created by artificial means or has some accreted to such portion so created
  - (c) Some portion of said land has been brought within the boundaries thereof by a change in the location of Klamath River

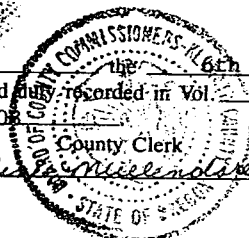
STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 6th day  
 of Jan. A.D., 19 89 at 3:41 o'clock P. M., and duly recorded in Vol. M89,  
 of Deeds on Page 408

FEE \$33.00

INDEXED  
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Evelyn Biehn  
 By Claudia Nielsen



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 18th day  
 of Jan. A.D., 1989 at 11:22 o'clock A. M., and duly recorded in Vol. M89,  
 of Deeds on Page 1041

FEE \$33.00

Evelyn Biehn  
 By Claudia Nielsen

County Clerk