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WARRANTY DEED

Vol. 1189 Page 4069

KNOW ALL MEN BY THESE PRESENTS, That RICHARD A. TAKACS

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by LYNN E. LONG

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:

See Exhibit "A", attached hereto.

(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 subject to

see reverse side hereof.

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 \$ 315,000.00

~~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).~~ (The sentence between the symbols ①, 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 8th day of March, 19 89; 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.

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.

Richard A. Takacs

STATE OF OREGON,

County of Klamath ss.  
March 8, 19 89

STATE OF OREGON, County of ss.  
19

Personally appeared and

who, being duly sworn, 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

a corporation, 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)

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 12-19-92

Notary Public for Oregon

My commission expires:

(If executed by a corporation, affix corporate seal)

RICHARD A. TAKACS

GRANTOR'S NAME AND ADDRESS

LYNN E. LONG

GRANTEE'S NAME AND ADDRESS

After recording return to:

Lynn E. Long  
5116 Ridgewood Dr.  
Klamath Falls, Oregon 97603

NAME, ADDRESS, ZIP

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

Same as Above

NAME, ADDRESS, ZIP

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 fee/file/instrument/microfilm/reception No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By Deputy

SPACE RESERVED  
FOR  
RECORDER'S USE

MAR 9 PM 1 54

MAR 9 PM 1 54

Right of way for road and ditch purposes, including the terms and provisions thereof, contained in deed to the Klamath Drainage District of Klamath County, Oregon, a corporation, recorded September 3, 1931, in Deed Volume 96, page 86, Records of Klamath County, Oregon.

Right of Way Deed for canals, including the terms and provisions thereof, given by Henry Offenbacher, a single man, to Klamath Drainage District of Klamath County, Oregon, dated January 24, 1931, recorded January 24, 1931, in Deed Volume 93, page 493, Records of Klamath County, Oregon.

Reservations and restrictions contained in deed from State of Oregon to James O'Keeffe dated May 13, 1937, recorded May 14, 1937, in Deed Volume 109, page 277, Records of Klamath County, Oregon, as follows: "This sale is made upon the express condition that there is hereby reserved to the State of Oregon all the coal, oil, gas and other minerals in said above described premises, together with the right to prospect for, mine and remove the same. Subject, however, to right of way for ditches, canals, and reservoir sites for irrigation purposes, constructed, or which may be constructed by authority of the United States or otherwise, which right of way is hereby expressly reserved." Affects SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 2.

Easement for transmission line, including the terms and provisions thereof, given by the Federal Land Bank of Spokane to the California Oregon Power Company, dated July 30, 1938, recorded May 25, 1939, in Deed Volume 122, page 309, Records of Klamath County, Oregon.

Grant of right of way, including the terms and provisions, thereof given by John D. O'Connor and Violet O'Connor and Matt O'Connor to the California Oregon Power Company for transmission line, dated October 3, 1931, recorded December 1, 1939, in Deed Volume 125, page 580, Records of Klamath County, Oregon.

Restrictions contained in deed from John D. O'Connor and Violet O'Connor and Mathew O'Connor to James O'Keeffe, dated December 29, 1942, recorded February 10, 1943, in Deed Volume 153, page 23, Records of Klamath County, Oregon, as follows: "Grantors herein reserve unto themselves, their heirs, executors, administrators and assigns, the perpetual right and easement to drive their sheep and livestock over and across said lands to and from other lands owned by them in Klamath County, at any and all times that they may deem necessary in carrying on their sheep and livestock operations."

DESCRIPTION OF PROPERTY

The following described real property situated in Klamath County, Oregon:

Township 41 South, Range 9 East of the Willamette Meridian

Section 3: E $\frac{1}{4}$ SE $\frac{1}{4}$

Section 2: SW $\frac{1}{4}$ , W $\frac{1}{4}$ NW $\frac{1}{4}$  and Lots 9 and 10

Also, a portion of Lots 2, 3, 6 and 7 of Section 2 described as follows: Commencing at the intersection of the township line marking the Northerly boundary of the said Section 2, with the Southwesterly boundary of the right of way of the Lower Lake County Road, as the same is now located and constructed; said point of intersection being 241.9 feet, more or less, Westerly from the quarter section corner on the Northerly boundary of said Section 2, and running thence Westerly along the said township line 1103.5 feet, more or less, to its intersection with a line parallel with and 50 feet distant at right angles Northeasterly from the center line of the Klamath Drainage District Irrigation Canal as the same is now located and constructed; thence following said parallel line South 47°07' East 1487 feet; thence South 49°51' East 366.8 feet; thence South 54°52' East 120.5 feet; thence South 58°31' East 451.3 feet, to the true point of beginning of this description; thence South 58°31' East continuing along said parallel line 527.6 feet; thence South 32°34' East 243.6 feet; thence leaving said parallel line, North 51°38' East 434.1 feet, more or less, to a point in the said line marking the Southwesterly boundary of the right of way of the Lower Lake Market Road; thence North 38°22' West along said right of way boundary 737.7 feet; thence South 51°38' West 591.2 feet, more or less, to the said true point of beginning of this description.

Also, a portion of Lots 6, 7 and 8 in Section 2 described as follows: Beginning at a point on the Meander line of 1872 from which the iron pipe marking the center one-quarter corner of Section 2, Twp. 41 S.R. 9 E.W.M. bears S. 41°39 $\frac{1}{2}$ ' W. 764.3 feet distant (said center one-quarter corner being S. 89°45 $\frac{1}{2}$ ' E. 2644.8 feet distant from U.S.G.L.O. brass cap marking the West one-quarter corner of said Section 2); thence N. 41°39 $\frac{1}{2}$ ' E. 345.9 feet to an iron pin on the southerly bank of the Klamath Drainage District's North Canal; thence continuing N. 41°39 $\frac{1}{2}$ ' E. 59.8 feet to the centerline of the said North Canal as the same is presently located and constructed over and across said Section 2; thence following said centerline of said North Canal N. 58°31' W. 812.1 feet; thence N. 54°52' W. 124.3 feet; thence N. 49°51' W. 370.2 feet; thence 47°07' W. 674.8 feet to the intersection of said centerline of said North Canal with the said Meander line of 1872; thence S. 41°01 $\frac{1}{2}$ ' E. along said Meander of 1872 a distance of 1983.7 feet, more or less, to the point of beginning.

EXCEPTING therefrom any portion thereof conveyed to the Klamath Drainage District of Klamath County, Oregon.

TOGETHER WITH all property rights thereto including all federal and state water rights.

## EXHIBIT "A"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 9th day  
of March A.D., 19 89 at 1:54 o'clock P.M., and duly recorded in Vol. M89  
of Deeds on Page 4069.

FEE \$18.00

Evelyn Biehn, County Clerk

By Pauline Mulholland