

98319

SPECIAL WARRANTY DEED

Vol. 189 Page 4837

KNOW ALL MEN BY THESE PRESENTS, That JAMES L. ECKHARDT of 723 East Karcher Road, Nampa, Idaho 83651, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto RODNEY R. LYON and MARIE M. LYON, as tenants by the entirety hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

Those certain improvements consisting of a potato storage building ("Improvements") which are located on the parcel of land described on Exhibit "A". The land is currently owned by the Grantee. This deed is to the Improvements only.

(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 the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$351,000.00

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 10th day of March, 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)

JAMES L. ECKHARDT

STATE OF OREGON, Idaho } ss.
County of Ada
March 10, 1989

Personally appeared the above named James L. Eckhardt

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

Before me:

Kelly A. Leonard
Notary Public for Oregon Idaho
My commission expires 2-26-94

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)

Notary Public for Oregon
My commission expires:

James L. Eckhardt
723 E. Karcher Rd
Nampa, Idaho 83651
GRANTOR'S NAME AND ADDRESS

Rodney R. & Marie M. Lyon
AC 102 Box 112 B
Malin OR 97632
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 _____) 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 document/tee/file/instrument/microfilm 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

89 MAR 22 PM 2 58

The East one-half of a parcel of land situate in portions of Government Lots 7 and 11 in Section 16, Township 41 South, Range 12 E.W.M., being more particularly described as follows:

Beginning at a point on the centerline of an existing drain ditch, from which point the monument marking the one-quarter section corner common to Sections 15 and 16, Township 41 South, Range 12 E.W.M., bears North 0°29'05" West 479.17 feet, South 89°43'05" East 12.50 feet, North 0°53' West 421.48 feet, North 0°14' East 30.00 feet, and South 89°46' East 2,692.06 feet distant; thence North 89°43'05" West 422.77 feet to a point; thence North 0°29'05" West 376.14 feet to a point; thence South 89°43'05" East 422.77 feet to a point on the centerline of an existing drain ditch; thence South 0°29'05" East 376.14 feet to the point of beginning.

Together with a non-exclusive perpetual easement for ingress to and egress from the above described property over the existing roadway lying over the following described parcel:

A parcel of land situate in portions of Government Lots 7 and 11 in Section 16, Township 41 South, Range 12 E.W.M., being more particularly described as follows:

Beginning at a point on the centerline of an existing drain ditch from which point the monument marking the one-quarter section corner common to Sections 15 and 16, Township 41 South, Range 12 E.W.M., bears North 0°29'05" West 479.17 feet, South 89°43'05" East 12.50 feet, North 0°53' West 421.58 feet, North 0°14' East 30.00 feet, and South 89°46' East 2,692.06 feet distant; thence North 89°43'05" West 422.77 feet to a point; thence South 0°29'05" East 373.56 feet, more or less, to a point on the South line of Government Lot 11 in said Section 16; thence South 89°00' East 422.87 feet along the South line of said Lot 11 to a point; thence North 0°29'05" West 378.86 feet along the center line of an existing drain ditch to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 22nd day
of March A.D., 19 89 at 2:58 o'clock P.M., and duly recorded in Vol. M89
of Deeds on Page 4837.

FEE \$13.00

Evelyn Biehn County Clerk

By Orville Mulvane