

OK

3538

BARGAIN AND SALE DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

Vol. 289 Page 14493

CLIFTON D. MOLATORE

Grantor,

conveys to CLIFTON D. MOLATORE, THOMAS L. MOLATORE and JERRY M. MOLATORE, as
joint tenants, with right of survivorship, and not as tenants in
common, Grantee, the following real property situated in Klamath

County, Oregon, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO.

SUBJECT TO:

SEE EXHIBIT "B" ATTACHED HERETO.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The true consideration for this conveyance is \$ 0 (Here comply with the requirements of ORS 93.030)Dated this 31 day of July, 19 89

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.

Clifton D. Molatore
 CLIFTON D. MOLATORE

STATE OF OREGON, County of Klamath) ss. July 31, 19 89
 Personally appeared the above named CLIFTON D. MOLATORE

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon—My commission expires: 11-3-91

BARGAIN AND SALE DEED

CLIFTON D. MOLATORE

GRANTOR

THOMAS L. MOLATORE and

GRANTEE

JERRY M. MOLATORE

851 Pacific Terrace

Klamath Falls, OR 97601

GRANTEE'S ADDRESS, ZIP

After recording return to:

CLIFTON D. MOLATORE,

THOMAS L. MOLATORE and

JERRY M. MOLATORE

851 Pacific Terrace

Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

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

CLIFTON D. MOLATORE

THOMAS L. MOLATORE and

JERRY M. MOLATORE

851 Pacific Terrace

Klamath Falls, OR 97601

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

*89 AUG 4 PM 3 58

EXHIBIT "A"

SW $\frac{1}{4}$ of Section 21 Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying Westerly of the Easterly right of way line of the U.S.B.R. C-4-E-1 Lateral.

EXCEPTING THEREFROM that portion lying Southwesterly of the C-4-E Laterals.

ALSO EXCEPTING THEREFROM that portion of said SW $\frac{1}{4}$ within the rights of way of the U.S.B.R. C-4-E Lateral, the C-4-E-1 Lateral and the 1-N Drain and Tingley Lane a county road.

ALSO EXCEPTING THEREFROM a tract of land situated in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 21 Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the Easterly right of way of the U.S.B.R. C-4-E Lateral and the South line of said Section 21, said point being North 88°04'48" East 849.39 feet from the Southwest corner of said Section 21; thence Northerly along the Easterly right of way of said lateral the following courses: North 28°15' West 133.37 feet, along the arc of a curve to the right (radius = 118.24 feet) 48.84 feet, North 04°35' West 438.30 feet, along the arc of a curve to the left (radius = 168.24 feet) 113.05 feet, North 43°05' West 181.79 feet; thence leaving said right of way, East 1191.46 feet to the Westerly right of way of the U.S.B.R. 1-N Drain; thence Southerly along said right of way, the following courses: South 04°04' East 318.00 feet, South 09°32' East, 326.46 feet, South 10°02' East, 164.45 feet to the South line of said Section 21; thence South 88°04'48" West 1016.46 feet to the point of beginning, with bearings based on Survey No. 1681 as recorded in the Klamath County Surveyor's Office.

ALSO EXCEPTING THEREFROM: A tract of land situated in the SW $\frac{1}{4}$ of Section 21, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the West line of said SW $\frac{1}{4}$, said point being North 00°08'31" East 1517.47 feet from the Southwest corner of said Section 21; thence South 86°28'34" East 1689.90 feet to the Westerly right of way line of the U.S.B.R. 1-N Drain; thence Southerly along said Westerly right of way line, South 26°36' East 78.00 feet and South 04°04' East 481.48 feet to the Northeast corner of property in Deed Volume M78 page 18543, Microfilm Records of Klamath County, Oregon, thence West, along the North line of said Deed Volume, 1191.46 feet to the Easterly right of way line of the Klamath Irrigation District C-4-E Lateral; thence Northerly along said Easterly lateral right of way line, North 43°05' West 725.11 feet, along the arc of a curve to the left (radius = 597.96 feet, central angle = 06°00') 62.62 feet, North 49°05' West 31.87 feet to the West line of the SW $\frac{1}{4}$ of said Section 21; thence North 00°08'31" East 60.00 feet to the point of beginning.

EXHIBIT "B"

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. Taxes for the year 1981-82, and possibly prior years have been deferred pursuant to ORS 308.370 to 308.403. These, plus earned interest are due and payable when said reason for the deferment no longer exist.
2. Acreage and use limitations under provisions of United States Statutes and regulations issued thereunder.
3. Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
4. Rules, regulations, liens, and assessments of Klamath Basin Improvement District, and any unpaid charges or assessments in connection therewith. Affects Tax Lot 1500
5. Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads or highways.
6. Agreement between Clara A. Dicken and the United States of America, recorded April 10, 1906, in Volume 19 page 636, Deed Records of Klamath County, Oregon, which agreement recites as follows: "The authorized agents of the United States may enter upon and survey for, locate, grade, and construct canals, ditches, telephone and electric transmission lines, and other irrigation marks, as provided for in the act of Congress, approved June 17, 1902, known as the Reclamation Act, upon and across the land of the party of the first part, described as follows, to-wit: South $\frac{1}{4}$ of the Southwest quarter of Section 21, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and may take and use for such purposes a strip of land, a sufficient number of feet wide on each side of the center line of said canals or other lines in the direction now surveyed and staked out, or as may hereafter be surveyed and staked out and found most practicable over said land. And the party of the first part further agrees that at any time during the continuance of this agreement, after it is determined that the strip of land above described will be needed for irrigation works to be constructed by the United States as aforesaid."
7. Right of Way Easement, including the terms and provisions thereof, given by Martin W. Carelli and Lozetta C. Carelli, and Pacific Power & Light Company, a corporation, dated June 11, 1979, recorded June 13, 1979, in Volume M79 page 13951, Deed records of Klamath County, Oregon.
8. Mortgage, including the terms and provisions thereof, executed by Martin W. Carelli and Lozetta C. Carelli, husband and wife, to the Federal Land Bank of Spokane, a Washington corporation, dated April 11, 1980, recorded April 15, 1980, in Volume M80 page 7033, Mortgage Records of Klamath County, Oregon, to secure the payment of \$125,000.00.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ 4th day
 of _____ Aug. _____ A.D. 19 89 at 3:58 o'clock P M., and duly recorded in Vol. M89
 of _____ Deeds _____ on Page 14493

Evelyn Biehn . County Clerk

By Daniel Mulvaney

FEE \$18.00