

7078

MTC-21949

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. m89 Page 20672

KNOW ALL MEN BY THESE PRESENTS, That D. T. MATTHEWS and ELSIE P. MATTHEWS, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by WILLIAM K. TAMPLEN and CHERYL D. TAMPLEN, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

See Attachment

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantees and the heirs of the survivor and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances. see attachment

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 \$50,000.00. 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 31 day of August, 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.

SEE SIGNATURES BELOW

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.

STATE OF OREGON, California

County of Lassen August 31, 1989

Personally appeared the above named D. T. Matthews and Elsie P. Matthews,

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

Before me, Helen R. Taylor, Notary Public for Oregon, My commission expires Sept. 7, 1990

STATE OF OREGON, County of _____, 19____ ss.

Personally appeared _____, 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) (If executed by a corporation, affix corporate seal)

D. T. MATTHEWS and ELSIE P. MATTHEWS

GRANTOR'S NAME AND ADDRESS

STATE OF OREGON, ss.

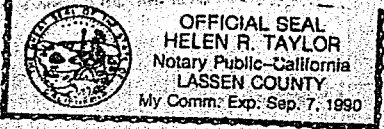
County of _____

STATE OF CALIFORNIA, COUNTY OF Lassen ss.

ON August 31, 1989 before me, the undersigned, a Notary Public in and for said State, personally appeared

D. T. Matthews and Elsie P. Matthews, known to me, to be the person whose name subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.



Helen R. Taylor, Notary Public in and for said State.

MTC No: 21949

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

A tract of land, situated in the Southeast one-quarter of Section 12, Township 38 South, Range 8 East of the Willamette Meridian in Klamath County, Oregon being more particularly described as follows:

Beginning at a 5/8 inch iron rod on the centerline of a 40 foot wide road easement from which point the stone marking the one-quarter corner common to Section 12 and 13 bears South 85 degrees 27' 23" West 715.83 feet; thence North 60 degrees 17' 42" East 425.00 feet to a 5/8 inch iron rod; thence North 26 degrees 52' 04" West 524.37 feet to a 5/8 inch iron rod; thence South 60 degrees 17' 42" West 425.00 feet to a 5/8 inch iron rod on the centerline of said 40 foot wide road easement; thence South 26 degrees 03' 02" East 44.00 feet along said centerline to a 5/8 inch iron rod; thence continuing along said centerline South 25 degrees 45' 58" East, 337.01 feet to a 5/8 inch iron rod; thence continuing along said centerline South 29 degrees 42' 18" East 143.60 feet to the point of beginning, the above description encompassing parcel no. 3 of Minor Land Partition No. 20-89 as filed with the Klamath County Clerk's Office.

SUBJECT TO a roadway easement, for ingress and egress, over and across the Westerly 20 feet of the above described parcel.

PARCEL 2

A tract of land situated in the Southeast one-quarter of Section 12, and in the Northeast one-quarter of Section 13, Township 38 South, Range 8 East of the Willamette Meridian in Klamath County, Oregon, being more particularly described as follows:

Beginning at a point from which the stone marking the one-quarter corner common to Section 12 and 13 bears North 73 degrees 03' 15" West 1125.58 feet, said point of beginning being the point of intersection of the centerline tangents number 13 and number 14 of a 40 foot wide road easement as platted for Minor Land Partition Number 51-82; thence North 47 degrees 10' 55" East 440.67 feet to a 5/8 inch iron rod; thence North 46 degrees 59' 41" West 433.78 feet to a 5/8 inch iron rod; thence South 60 degrees 17' 42" West 425.00 feet to a 5/8 inch iron rod on the centerline of said 40 foot wide road easement; thence along said centerline along the following described courses: 1) South 29 degrees 42' 18" East 36.00 feet to a 5/8 inch iron rod; 2) thence South 13 degrees 59' 39" East 40.11 feet to a 5/8 inch iron rod; 3) thence South 13 degrees 04' 50" East, 65.99 feet to a 5/8 inch iron rod; 4) thence South 40 degrees 32' 19" East 214.21 feet to a 5/8 inch iron rod; 5) thence South 64 degrees 15' 00" East 201.43 feet to the point of beginning, the above description encompassing parcel no. 2 of Minor Land Partition No. 20-89 as filed with the Klamath County Clerk's Office.

(continued)

SUBJECT TO a roadway easement, for ingress and egress, over and across the Westerly 20 feet of the above described parcel.

Tax Account No: 3808 01200 01200 (covers other property)
3808 01300 00500 (covers other property)

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Exceptions:

1. Subject to the right of California Oregon Power Company to maintain water level of Upper Klamath Lake between 4137 and 4143.3 feet, and release of damages to said company, as disclosed by Deed recorded in Volume 226, page 51, Deed Records of Klamath County, Oregon.

2. Subject to a 40 foot easement for construction, use and maintenance of an access road and utility lines as set forth in documents recorded June 13, 1977 in Volume M77, page 10279, and recorded March 28, 1980 in volume M80, page 5331, Microfilm Records of Klamath County, Oregon.

3. Subject to a 60 foot non-exclusive easement as shown on Minor Partition No. 80-82, as filed in the Klamath County Engineer's Office.

4. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

5. Reservations or exceptions in patents or in Acts authorizing the issuance thereof.

Return and taxes:

KLAMATH FIRST FEDERAL

540 MAIN STREET

KLAMATH FALLS OR 97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 27th day
of Oct. A.D., 19 89 at 12:34 o'clock P. M., and duly recorded in Vol. M89
of Deeds on Page 20672

FEE \$23.00

Evelyn Biehn County Clerk

By Pauline Mullins

Return: M.T.C.