

8600

WHEN RECORDED MAIL TO:

DEEDS

STATE OF OREGON Vol 1789 Page 23353

County of

I certify that the within instrument

was received for record on the

day

of

at

in book

on page

or as

filing fee number

Record of Deeds of said County

affixed

Witness my hand and seal of County

Title

By

Deputy

WARRANTY DEED

MAIL TAX STATEMENTS TO:

WILBUR C. & CAROLYN L.  
HARNSBERGER  
ALAN E. HARNSBERGER  
2900 CROSS ROAD  
KLAMATH FALLS, OR 97603

BONITA H. CHEYNE,

GRANTOR, conveys and warrants to

Husband and wife, as to an undivided one-half interest; and ALAN E. HARNSBERGER, as to an undivided one-half interest,

GRANTEE, the following described real property situate in Klamath County, Oregon, free of encumbrances except as specifically set forth below:

Section 30, S1NE1 and the SE1

Section 31, N1NE1

EXCEPTING THEREFROM the following: A parcel of land containing 1.96 acres, more or less, located in the SE1NE1 of Section 30, Township 40 South, Range 10 East of the Willamette Meridian, more particularly described as follows: Beginning at the Northeast corner of the SE1NE1 of Section 30; thence South along the Section line common to Sections 29 and 30 a distance of 150 feet; thence West along a line parallel to the Northern boundary line of the SE1NE1 of said Section 30, a distance of 570 feet; thence North along a line parallel to the Section line common to Sections 29 and 30, a distance of 150 feet; thence East along the North boundary line of the SE1NE1 of Section 30, a distance of 570 feet to the point of beginning. Also known as Parcel 1 of Minor Partition 33-83 on file in the office of the Klamath County Clerk.

AND FURTHER EXCEPTING any portion thereof lying in the road.

(CONTINUED ON REVERSE SIDE HEREOF)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 144,000.00. However, the actual consideration consists of or includes only property or a right therein or interest therein which is the subject of this deed.

In construing this deed and where the context so requires, the singular includes the plural.

Dated this 1st day of December, 1989.

BONITA H. CHEYNE

STATE OF OREGON, County of Klamath

Personally appeared the above named

BONITA H. CHEYNE

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

Before me:

Notary Public for Oregon

My commission expires 12-19-92

MAIL TAX STATEMENTS AS DIRECTED ABOVE

Giacomini & Knies  
Attorneys at Law  
635 Main Street  
Klamath Falls, Oregon 97601

## REAL PROPERTY DESCRIPTION, CONT.

23354

TOGETHER WITH an easement over the following described real property: All that portion of the SW1/4 of Section 20 and the NW1/4 of Section 29, Township 40 South, Range 10 East of the Willamette Meridian described as follows: A strip of land for irrigation ditch purposes 30 feet wide, 15 feet on each side of a line heretofore staked out across said lands and located as follows: Beginning at a point in the Westerly line of right of way for the Government C Canal at the Cheyne Pumphouse as now constructed and bearing approximately North 48°30' East 1590 feet from the Southwest corner of Section 20, Township 40 South, Range 10 East of the Willamette Meridian; thence along the outfall pipe South 45° West 100 feet; thence along a meandering falling grade contour roughly delineated by the following courses: South 75° West 265 feet; thence North 65° West 285 feet; thence South 5° East 300 feet; thence South 10°30' West 650 feet; thence South 26°40' West 1000 feet; thence South 3°20' West 500 feet; thence South 60° West 48 feet, more or less, to the Southwest corner of the NW1/4 of said Section 29, for the purpose of the construction and maintenance of a ditch on said strip of land, together with the right of ingress and egress for same purposes.

ALSO TOGETHER WITH the following described easement and right of way: A perpetual easement and right of way for the construction, maintenance, building and repairing of a drain ditch over and across the N1/4 of Section 29, Township 40 South, Range 10 East of the Willamette Meridian, in Klamath County, Oregon, the center line of which is more particularly described as follows, to-wit: Beginning at a point in the Section line marking the Westerly boundary of Section 29, Township 40 South, Range 10 East of the Willamette Meridian, 10 feet Southerly from the quarter section corner on the Westerly side of the said Section 29, and running thence East, parallel with and 10 feet distant at right angles Southerly from the East and West center line of the said Section 29, 1978 feet; thence South 87°42' East 200 feet; thence North 87°42' East 200 feet; thence East, parallel with and 10 feet distant at right angles Southerly from the said East and West center line of the said Section 29, 1587 feet; thence South 87°42' East 400 feet; thence East 400 feet; thence North 87° East 300 feet, more or less, to its intersection with the Westerly boundary of the right of way of the "C" Canal of the U.S.R.S. being over and across the N1/4 of said Section 29, Township 40 South, Range 10 East of the Willamette Meridian.

ALSO TOGETHER WITH a perpetual easement 30 feet in width along the Easterly boundary of the property contained in Bargain and Sale Deed dated November 16, 1988, recorded November 21, 1988, in Volume M-88, Page 19739, Deed Records of Klamath County, Oregon, along and West of the Westerly right of way of Cheyne Road as the same now exists, for irrigation and related purposes including the right of ingress and egress thereon, for use, maintenance, repairs and upkeep; for the benefit of the following described real property situated in Klamath County, Oregon: S1/4 of Section 30 and the N1/4 of Section 31, all in Township 40 South, Range 10 East of the Willamette Meridian.

## SUBJECT TO:

1. Terms and conditions of special assessment as farm use and the right of Klamath County, Oregon, to additional taxes in the event said use should be changed, which obligations Grantee assumes and agrees to pay and perform.
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. Any unpaid charges of assessments of the Klamath Irrigation District.
5. Rules, regulations, liens, and assessments of Klamath Basin Improvement District, and any unpaid charges or assessments in connection therewith.
6. Easement, including the terms and provisions thereof, from R.W. Enman and Bertha A. Enman, his wife, to Fannie M. Cheyne, dated April 6, 1939, recorded April 6, 1939, in Vol. 121, Page 335, Deed Records of Klamath County, Oregon, for the purpose of the construction and maintenance of a ditch on said strip of land and the grantors hereby expressly grant to the grantee, her heirs and assigns, the right of ingress and egress to said real property for such construction and maintenance.
7. Agreement, including the terms and provisions thereof, between the United States of America and M.E. Cornett and Olive B. Cornett, husband and wife, and W.A. Serruys and Florence M. Serruys, husband and wife, dated June 1, 1944, recorded June 28, 1944, in Vol. 166, Page 384, Deed Records of Klamath County, Oregon, for furnishing water under pumping system for irrigation purposes.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the \_\_\_\_\_ 1st  
of \_\_\_\_\_ December \_\_\_\_\_ A.D., 19 89 at 3:53 o'clock P. M., and duly recorded in Vol. M89  
of \_\_\_\_\_ Deeds \_\_\_\_\_ on Page 23353

FEE \$13.00

EVILYN B. LEHN County Clerk  
By: Bernetha A. Kelsch