

15113

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That **BRENDAN CAPITAL CORP.**, an Oregon corporation, hereinafter called the grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto **DAVID P. HENZEL**, hereinafter called the grantee, unto grantee's heirs, successors and assigns all of that certain real property, with the tenements, hereditaments and appurtenances there unto belonging or in anywise appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

To Have and Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$150,000.00.

In construing this deed and where the context so requires, the singular includes the plural and the 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 20th day of April, 1990; 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.

BRENDAN CAPITAL CORP.

By *M. W. Gray*

STATE OF OREGON)

) ss.

County of Klamath)

On this 20th day of April, 1990, personally appeared before me the above named MICHAEL B. GRAY and, being first duly sworn, did say that he is the President of Brendan Capital Corp., an Oregon corporation, and he signed the foregoing instrument on behalf of said corporation by authority of its Board of Directors.



Nancy L. Deane
Notary Public for Oregon

My Commission expires: 11-1-91

Brendan Capital Corp.

815 Washburn Way

Klamath Falls, OR 97603

Grantor's Name and Address

David P. Henzel

714 Hillside Avenue

Klamath Falls, OR 97601

Grantee's Name and Address

After recording return to:

Richard N. Belcher

815 Washburn Way

Klamath Falls, OR 97603

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

David P. Henzel

714 Hillside Avenue

Klamath Falls, OR 97601

David Henzel
714 Hillside

Klamath Falls, Or
97601

*90 MAY 21 PM 3 31

DESCRIPTION

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

All of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, Township 39 South, Range 9 East of the Willamette Meridian, containing 40 acres more or less inclusive of the Government drain along the West boundary and the highway along the East boundary LESS AND EXCEPTING the following part thereof:

Beginning at the point of intersection of the East boundary of the aforesaid NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 23 and the Southerly right of way boundary of the Great Northern Railway Co. right of way; thence South along said East boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23 a distance of 66.0 feet; thence West, parallel with the South boundary of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, a distance of 1320 feet, more or less to the West boundary thereof; thence North along said West boundary, 97 feet, more or less to the Northwest corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 23; thence East along the North boundary thereof 1285.2 feet to the Southerly right of way boundary of said Great Northern Railway Co. railroad; thence South 48°22' East along said right of way a distance of 46.6 feet more or less to the point of beginning containing 2.94 acres more or less, inclusive of the government drain along the West boundary and the highway along the East boundary.

ALSO, less and excepting that triangular portion containing .26 acres deeded to the Great Northern Railway Co., described and recorded in Volume 95 page 475 deed records Klamath County, Oregon. Conveying also the right to convey irrigation waters over and across the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ in a ditch on the East side thereof.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of David Henzel the 21st day
of May A.D. 19 90 at 3:31 o'clock PM., and duly recorded in Vol. M90,
of Deeds on Page 9638

FEE \$33.00
cc 1.50

Evelyn Biehn County Clerk

By Pauline Mullender

EXHIBIT "A"