17119 WARRANTY DEED MTC 23750-K Vol. M90 Page 13227

KNOW ALL MEN BY THESE PRESENTS, That GEORGE A. PONDELLA, JR. and DONALD E. BAILEY, as tenants in common, each as to an undivided ½ interest *hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by* RICHARD B. HAMMOND *, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and and grantee's heirs, successors and assigns, the certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of* Klamath *and State of Oregon, described as follows, to-wit:*

The S½ NW¼ lying Northeasterly of SPRAGUE RIVER ROAD, in Section 11, Township 35 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon. LESS AND EXCEPT any portion within Sprague River Road or Lone Pine Road. Klamath County Tax Account #3509-01100-00400.

SUBJECT TO: Trust Deed subject to the terms and provisions thereof, dated December 18, 1989, and recorded December 27, 1989, in Volume M89, page 24949, Microfilm Records of Klamath County, Oregon, in favor of L.A. Gienger and Pauline H. Gienger dba Gienger Investments, as to an undivided ½ interest and Brian E. Allen and Sharon M. Allen, as to an undivided interest, as Beneficiary**see continued 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."

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

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple and the above granted premises, free from all encumbrances except all those of record and those apparent upon the land as of the date of this deed *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 $ 28,000.00 .

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 8th *day of* June *, 19* 90 *; 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.*

**The Grantee named herein does not agree to assume nor pay said Trust Deed and the Grantors named herein agree to hold the Grantee harmless therefrom.

GEORGE A. PONDELLA, JR.

DONALD E. BAILEY

STATE OF OREGON,)
County of Klamath) *ss.*
June 8 *, 19* 90 .

Personally appeared the above named GEORGE A. PONDELLA, JR. and DONALD E. BAILEY *and acknowledged the foregoing instrument to be* their *voluntary act and deed.*

Before me: Kristi L. Field
(OFFICIAL SEAL) *Notary Public for Oregon*
My commission expires: 11/16/91

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:

GEORGE A. PONDELLA, JR. and DONALD E. BAILEY
5727 Washburn Way
Klamath Falls, OR 97603
GRANTOR'S NAME AND ADDRESS

RICHARD B. HAMMOND
42337 Blacow Rd.
Fremont, CA 94538
GRANTEE'S NAME AND ADDRESS

After recording return to:
SAME AS GRANTEE
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.
SAME AS GRANTEE
NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, *ss.*
County of Klamath
I certify that the within instrument was received for record on the 5th *day of* July *, 19* 90 *, at* 12:06 *o'clock* P *M., and recorded in book* M90 *on page* 13227 *or as file/reel number* 17119 *, Record of Deeds of said county.*
Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk
Recording Officer
By Pauline Muckenhirn *Deputy*

Fee $28.00