

19815

MTC 24066

WARRANTY DEED

Vol. 90 Page 17925

KNOW ALL MEN BY THESE PRESENTS, That  
Donald E. Fleming and Helen J. Fleming, husband and wife  
 hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by  
Gregory D. Mitchell and Delphine R. Mitchell, husband and wife, hereinafter called  
 the grantee, does hereby grant, bargain, sell and convey unto the said grantee 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:

SEE ATTACHED LEGAL DESCRIPTION WHICH IS MADE A PART HEREOF BY THIS  
 REFERENCE. SUBJECT TO: Real Estate Contract of which a Memorandum was  
 recorded on November 2, 1978, in Volume M78, page 24834, Microfilm-Records  
 of Klamath County, Oregon, in favor of Norris Properties, LTD, as Vendor.  
 The Grantees named herein do not agree to assume nor pay this Real Estate  
 Contract and the Grantors named herein hereby agree to hold the Grantees  
 harmless therefrom.

"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 \$ 29,000.00

However, the actual consideration shall be ascertained by reference to the original instrument and the original instrument shall be  
 part of the record of this deed.

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 5th day of September, 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.

STATE OF OREGON,

County of Klamath

September 5, 19 90

Donald E. Fleming

Personally appeared the above named  
Donald E. Fleming and  
Helen J. Fleming

Helen J. Fleming

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

Before me:

Notary Public for Oregon

My commission expires: 11/16/91

STATE OF OREGON, County of \_\_\_\_\_ ss.

The foregoing instrument was acknowledged before me this  
 \_\_\_\_\_, 19 \_\_\_\_\_, by \_\_\_\_\_\_\_\_\_\_  
 president, and by \_\_\_\_\_  
 secretary of \_\_\_\_\_

a \_\_\_\_\_ corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires: \_\_\_\_\_

(SEAL)

Donald E. Fleming & Helen J. Fleming  
5071 Harlan Drive  
Klamath Falls, OR 97603

GRANTOR'S NAME AND ADDRESS

Gregory D. Mitchell & Delphine R. Mitchell  
Mc Cormick Rd.  
Keno, OR 97627

GRANTEE'S NAME AND ADDRESS

After recording return to:

SAME AS GRANTEE

NAME, ADDRESS, ZIP

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

SAME AS GRANTEE

NAME, ADDRESS, ZIP

STATE OF OREGON,

ss.

County of \_\_\_\_\_

I certify that the within instrument was  
 received for record on the \_\_\_\_\_  
 day of \_\_\_\_\_, 19 \_\_\_\_\_,  
 at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded  
 in book \_\_\_\_\_ on page \_\_\_\_\_ or as  
 file/reel number \_\_\_\_\_

Record of Deeds of said county.

Witness my hand and seal of County  
 affixed.

Recording Officer

By \_\_\_\_\_ Deputy

MTC NO: 24066-DN

EXHIBIT "A"  
LEGAL DESCRIPTION

## PARCEL 1

A portion of Lot 1, Section 31, Township 39 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at the corner common to Sections 36, Township 39 South, Range 7 East of the Willamette Meridian, Section 31, Township 39 South, Range 8 East of the Willamette Meridian, Section 1, Township 40 South, Range 7 East of the Willamette Meridian, and Section 6, Township 40 South, Range 8 East of the Willamette Meridian, and running thence North along the line between said Sections 36 and 31, 315 feet more or less, to a point which shall coincide with the South line of a tract in the SE1/4 of SE1/4 of said Section 36, presently owned by Frank Niles and Letha Niles, the true point of beginning; thence East 60 feet; thence North parallel to the Township line 240 feet; thence West 60 feet; thence South along the Township line 240 feet to the point of beginning.

## PARCEL 2

A portion of the Southeast quarter of the Southeast quarter of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, more particularly described as follows:

Beginning at a point which is 314.5 feet North of the Southeast corner of Section 36, Township 39 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence West at right angles to said East Section line 40 feet; thence North parallel to the East line of said section 345.5 feet, more or less, to the South line of that parcel of property described in Volume 120 at page 451, Deed Records of Klamath County, Oregon; thence East along the South line of said property 40 feet to the said section line; thence South 345.5 feet more or less to the point of beginning.

## PARCEL 3

A parcel of land situated in Section 36, Township 39 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and in Section 31, Township 39 South, Range 8 East of the Willamette Meridian, being more particularly described as follows:

Beginning at a point on the East line of said Section 36 from which an iron axle marking the Southeast corner of said Section 36 bears South, 314.5 feet; thence West 40 feet; thence South 30 feet; thence East 40 feet to a point on said East line; thence continuing East 60 feet; thence North 30 feet; thence West 60 feet to the point of beginning.

Tax Account No: 3908 031CC 05700

3907 036DO 05100

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 6th day  
of Sept. A.D., 19 90 at 4:06 o'clock P. M., and duly recorded in Vol. M90  
of Deeds on Page 17925.

FEE \$33.00

Evelyn Biehn - County Clerk

By Pauline Neillandore