

OK

23671

BARGAIN AND SALE DEED

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KNOW ALL MEN BY THESE PRESENTS, That ROY T. WHITLATCH, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto GERALD BENTON WHITLATCH and RICHARD T. WHITLATCH, as Tenants in Common, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

Grantor's life estate in the real property described in Exhibit "A", attached hereto.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to 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 \$ 0.

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the 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 30 day of November, 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.

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

(ORS 194.570)

STATE OF OREGON,

County of Klamath,

The foregoing instrument was acknowledged before me this 30 day of November, 1990, by Roy T. Whitlatch.

(SEAL)

Donald R. Crane
Notary Public for Oregon
My commission expires: 6-18-94

ROY T. WHITLATCH

Roy T. Whitlatch

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

(SEAL)

My commission expires: _____

(If executed by a corporation, affix corporate seal)

ROY T. WHITLATCH

GRANTOR'S NAME AND ADDRESS

GERALD BENTON WHITLATCH and
RICHARD T. WHITLATCH

GRANTEE'S NAME AND ADDRESS

After recording return to:

Donald R. Crane / Crane & Foltyn
296 Main Street
Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

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

Gerald Benton Whitlatch
8512 Highway 39
Klamath Falls, Oregon 97603

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____) ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy.

SPACE RESERVED
FOR
RECORDER'S USE

11 PM 4 12 DEC 1990

3302

EXHIBIT "A"

ALL IN KLAMATH COUNTY, OREGON:

All that part of Section 25, Township 39 South, Range 9 East Willamette Meridian, described as follows: South half of the northeast quarter ($S\frac{1}{2}NE\frac{1}{4}$) and the northerly portion of the southeast quarter ($SE\frac{1}{4}$) described as follows: Beginning at the quarter section corner on the easterly side of the said Section 25; thence S. $0^{\circ} 05\frac{1}{2}'$ W. along the line marking the easterly boundary of said Section 1304.6 feet, more or less, to the southeast corner of the north half of the southeast quarter ($N\frac{1}{2}SE\frac{1}{4}$) of said Section 25; thence S. $89^{\circ} 57'$ W. along the southerly line of the said north half of the southeast quarter ($N\frac{1}{2}SE\frac{1}{4}$) 270.3 feet; thence S. $72^{\circ} 41'$ W. along a line parallel with and 12 feet distant at right angles southeasterly from the center line of that certain drain ditch, the easement for which was granted by Sophia S. Henley to the Gordon Marsh Construction Co., by conveyance dated April 29, 1931 and recorded in Volume 106 of Deeds, page 32, Records of Klamath County, Oregon, 196.7 feet; thence S. $83^{\circ} 19'$ W. 216.8 feet; thence leaving said drain ditch N. $52^{\circ} 23'$ W. 517.7 feet; thence S. $29^{\circ} 25'$ W. 39.3 feet, more or less, to a point in the northerly line of the right-of-way for the No. 1 Drain of the U.S.R.S. Klamath Project, as conveyed by Sophia S. Henley to the United States of America by deed dated July 19, 1910, and recorded in Book 29, page 509, records of deeds of

Klamath County, Oregon; thence following said northerly right-of-way line westerly to a point in the westerly boundary of the said southeast quarter ($SE\frac{1}{4}$) of the said Section 25 at a point 1157.6 feet, more or less, north from the south quarter section corner of the said Section 25; thence northerly along the westerly boundary of the said southeast quarter to the center of the said Section 25; thence easterly along the northerly boundary of the said southeast quarter ($SE\frac{1}{4}$) to the point of beginning.

Excepting therefrom the following described portions thereof:
 (1) That portion thereof conveyed to the United States of America by deed recorded on page 509 of Volume 29, Deed Records of Klamath County, Oregon. (2) That portion thereof conveyed to Klamath County, Oregon, by deed recorded on page 629 of Volume 75 of Deeds, Records of Klamath County, Oregon. (3) That portion thereof conveyed to Great Northern Railway Company by deed recorded on page 199 of Volume 95 of Deeds, Records of Klamath County, Oregon. (4) That portion thereof conveyed to F.J. Enloe, containing 3.00 acres by deed recorded on page 457 of Volume 100 of Deeds, Records of Klamath County, Oregon.

Subject to reservations, restrictions, easements, and rights-of-way of record and those apparent on the land.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Donald R. Crane the 12th day
 of Dec. A.D., 19 90 at 4:11 o'clock P M., and duly recorded in Vol. M90,
 of Deeds on Page 24671.

Evelyn Biehn, County Clerk

By Donald R. Crane

FEE \$33.00