

Note # 13686

25960

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That GARY D. HURST and DIANE M. HURST, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by MARSHELLIA RANCH, an Oregon general partnership, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that 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 Exhibit "A" attached hereto and by reference incorporated herein.

To Have and 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 of the above granted premises, free from all encumbrances except

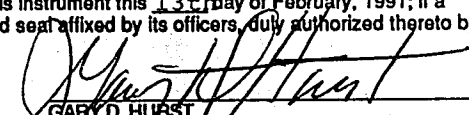
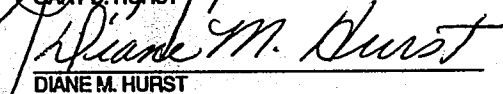
and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$41,078.10\*\*.

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 13<sup>th</sup> day of February, 1991; 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.

  
GARY D. HURST  
  
DIANE M. HURST

STATE OF OREGON        }  
County of Klamath        } ss.

On this 13 day of February, 1991, personally appeared before me the above named GARY D. HURST and DIANE M. HURST and acknowledged the foregoing instrument to be their voluntary act and deed.



  
Notary Public for Oregon  
My Commission expires: 11-1-91

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Gary D. and Diane M. Hurst  
347 Pacific Terrace  
Klamath Falls, OR 97601

Grantor's Name and Address

Marshellia Ranch  
815 Washburn Way  
Klamath Falls, OR 97603

Grantee's Name and Address

After recording return to:

Mountain Title & Escrow Company  
222 South Sixth  
Klamath Falls, OR 97601

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

Marshellia Ranch  
815 Washburn Way  
Klamath Falls, OR 97603

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Lot 1 in Block 43 Hot Springs Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Grantee does not take the property subject to the following, which are liens upon the property:

1. Mortgage, including the terms and provisions thereof, executed by Deane Sacher and Inez M. Sacher, husband and wife, to The First National Bank of Oregon, Portland, recorded March 28, 1962, in Volume 209 page 389, Mortgage records of Klamath County, Oregon, given to secure the payment of \$18,000.00.

2. Trust Deed, including the terms and provisions thereof, executed by Jeanne Frances Kelley aka Jeanne Frances Kelley, as grantor to Mountain Title Company, Inc., as trustee for The Estate of Wilma Y. Bennett, as beneficiary, dated June 12, 1984, recorded June 18, 1984, in Volume M84 page 10096, Mortgage records of Klamath County, Oregon, given to secure the payment of \$50,000.00.

By Assignment, dated August 3, 1984, recorded August 8, 1984, in Volume M84 page 13694, Mortgage records of Klamath County, Oregon, the beneficiaries interest was assigned to Scharri Wynn Brennan, as to an undivided one-third interest, Ann Drue Kiessling, as to an undivided one-third interest, and Barbara Jean Stanford, as to an undivided one-third interest.

3. Federal Tax Lien against Gary D. Hurst and Mary M. Hurst, recorded November 21, 1988, in Volume M88 page 19733, records of Klamath County, Oregon, in the amount of \$29,166.36.

By Amendment recorded February 27, 1989, in Volume M89 page 3450, and by amendment recorded July 17, 1989, in Volume M89 page 12975, records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title the 15 day  
of Feb A.D., 19 91 at 2:18 o'clock P M., and duly recorded in Vol. m91,  
of Deeds on Page 2883.

FEE 33.00

Evelyn Biehn

By

County Clerk

Bernetha J. Litsch