

23751

Vol. m90 Page 24850BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that ELSIE LOVENESS, formerly known as ELSIE MICKA, does hereby grant, bargain, sell and convey unto MILDRED H. LOVENESS and RONALD E. LOVENESS, Trustees under the Mildred H. Loveness 1983 Trust, and LOYAL H. LOVENESS and RONALD E. LOVENESS, Trustees under the Loyal H. Loveness 1983 Trust, as tenants in common, as to a 51.45586% interest, and to ELSIE LOVENESS and LOREN LOVENESS, husband and wife, as tenants by the entirety, as to a 48.54414% interest, that certain real property situated in the County of Klamath, State of Oregon, described as follows, to-wit:

A portion of Sections 27 and 34, Township 40 South, Range 12 East, of the Willamette Meridian, more particularly described as follows:

PARCEL 1: The South half of the Southwest quarter of the Southeast quarter of said Section 27.

PARCEL 2: Beginning at the Southeast corner of the South east quarter of the Southwest quarter of Section 27, Township 40 South, Range 12 East, of the Willamette Meridian; thence West along the South line of said Southeast quarter of the Southwest quarter, a distance of 2.4 chains, more or less, to the centerline of the old county road running Northerly from Malin to the McFall Ranch; thence North along said road, a distance of 7.5 chains; thence approximately North 43°30' East along said road, a distance of 3.47 chains to the Northwest corner of the South half of the Southwest quarter of the Southeast quarter of said Section 27; thence South along the West line of said South half of the Southwest quarter of the Southeast quarter, a distance of 10 chains, more or less, to the point of beginning; being that portion of the Southeast quarter of the Southwest quarter of Section 27, Township 40 South, Range 12 East, of the Willamette Meridian, lying East of said road, EXCEPT THEREFROM THE FOLLOWING DESCRIBED TRACT: Beginning at a 5/8" iron rod on the East right-of-way line of County Road No. 1133, from which the quarter corner common to Sections 27 and 34, bears South 06°44'09" East, a distance of 499.10 feet; thence South 73°46'00" East, a distance of 912.18 feet to a 5/8" iron rod; thence North 12°43'30" East, 248.89 feet to a 5/8" iron rod; thence North 07°29'00" West, a distance of 183.03 feet to a 5/8" iron rod; thence South 89°45'13" West, a distance of 765.39 feet to a 5/8" iron rod on the East right-of-way line of County Road No. 1133; thence along the East right-of-way line of said road, South 44°47'30" West, a distance of 188.02 feet

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to a 5/8 inch iron rod; thence South  $15^{\circ} 23' 00''$  West a distance of 33.73 feet to the point of beginning, containing 6.02 acres, more or less, all lying in Section 27, Township 40 South, Range 12 East, Willamette Meridian, in Klamath County, Oregon.

PARCEL 3:

The  $W\frac{1}{2}NE\frac{1}{4}$ , the  $SE\frac{1}{4}NE\frac{1}{4}$ , and the  $NW\frac{1}{4}SE\frac{1}{4}$  of said Section 34.

PARCEL 4:

Beginning at the Northwest corner of the  $NE\frac{1}{4}NE\frac{1}{4}$  of Section 34, Township 40 South, Range 12 East of the Willamette Meridian; thence South along the West line of said  $NE\frac{1}{4}NE\frac{1}{4}$  a distance of 20 chains, more or less, to the Southwest corner of said  $NE\frac{1}{4}NE\frac{1}{4}$ ; thence East along the South line of said  $NE\frac{1}{4}NE\frac{1}{4}$ , a distance of 20 chains, more or less, to the Southeast corner of said  $NE\frac{1}{4}NE\frac{1}{4}$ ; thence approximately North  $45^{\circ}$  West a distance of 28.28 chains more or less, to the point of beginning; being the Southwest one-half of the  $NE\frac{1}{4}NE\frac{1}{4}$  of Section 34, Township 40 South, Range 12 East of the Willamette Meridian.

PARCEL 5:

Beginning at the Northwest corner of the  $SW\frac{1}{4}SE\frac{1}{4}$  of Section 34, Township 40 South, Range 12 East of the Willamette Meridian; thence East, along the North line of said  $SW\frac{1}{4}SE\frac{1}{4}$ , a distance of 20 chains, more or less, to the Northeast corner of said  $SW\frac{1}{4}SE\frac{1}{4}$ ; thence South, along the East line of said  $SW\frac{1}{4}SE\frac{1}{4}$ , a distance of 20 chains, more or less, to the Southeast corner of the  $SW\frac{1}{4}SE\frac{1}{4}$ ; thence West, along the South line of said  $SW\frac{1}{4}SE\frac{1}{4}$ , a distance of 8.5 chains, more or less, to the Northeasterly right-of-way line of the high line canal of the Shasta View Irrigation District; thence Northwesterly along said right-of-way line, to the West line of said  $SW\frac{1}{4}SE\frac{1}{4}$ ; thence North a distance of 6.5 chains, more or less, to the point of beginning; being that portion of the  $SW\frac{1}{4}SE\frac{1}{4}$  of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, lying Northeasterly from the said high line canal.

PARCEL 6:

That portion of the  $W\frac{1}{2}$  of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, lying East of the East right-of-way line of the county road as now located and North of the Northerly right-of-way line of the high line canal of the Shasta View Irrigation District.

PARCEL 7:

Beginning at an iron pin on the South line of Section 27, Township 40 South, Range 12 East of the Willamette Meridian, which lies West along the South line of Section 27 a distance of 143.5 feet from the quarter corner common to Sections 27 and 34, Township 40 South, Range 12 East of the Willamette Meridian, and running thence; continuing West along the county line of Section 27, a distance of 52 feet to a point; thence North 15° 17' East along the East line of the relocated county road, a distance of 206.5 feet to a point on the Westerly right-of-way line of the Old County Road, thence South 0° 42' West a distance of 199.21 feet, more or less, to the point of beginning; said tract being in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 27, Township 40 South, Range 12 East of the Willamette Meridian.

PARCEL 8:

That portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 34, Township 40 South, Range 12 East of the Willamette Meridian, more particularly described as follows: Commencing at the Northwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; thence East along the North line to the Northeast corner of said quarter section; thence South along the East line of said quarter section to the Southeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; thence in a straight line Northwesterly to the Northwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$  the true point of beginning; and SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 26, Township 40 South, Range 12 East of the Willamette Meridian.

PARCEL 9:

A tract of land situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 27, Township 40 South, Range 12 East of Willamette Meridian, more particularly described as follows: Beginning at the Southwest corner of the Northeast quarter of the Northeast quarter; thence North along the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 208.71 feet; thence East parallel to the South line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 417.42 feet; thence South parallel to the West line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 208.71 feet; thence west along the south line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  a distance of 417.42 feet to the point of beginning.

Together with an easement for the joint use with Grantor for roadway purposes over and across the South 20 feet of the excepted portion of Parcel 2 above; provided that such easement shall not include 10 feet on each side of the existing well.

SUBJECT TO: (1) Easements and rights of way of record or apparent on the land; (2) Rights of way of the public in and to any portion of said property lying within the line of roads or highways; and (3) Contracts, liens, assessments, and provisions

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for irrigation or drainage purposes.

TO HAVE AND TO HOLD the above-described premises unto the said Grantees, their heirs and assigns forever.

The true and actual consideration paid for this transfer is the agreed resolution of mutual property rights.

IN WITNESS WHEREOF, the Grantor has executed this instrument on the 13 day of Dec., 1990.

Elsie Loveness  
Elsie Loveness

STATE OF OREGON )

ss.

County of Klamath )

Personally appeared the above-named ELSIE LOVENESS, and acknowledged the foregoing instrument to be her voluntary act and deed.

BEFORE ME:

Vaclav Malin  
Notary Public for Oregon  
My Commission Expires: June 1, 1994

Return: Elsie Loveness  
36121 Stastny Rd.  
Malin, Or. 97632

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

Elsie Loveness

on this 14th day of Dec. A.D. 19 90  
at 2:23 o'clock P. M. and duly recorded  
in Vol. M90 of Deeds Page 24850

Evelyn Biehn County Clerk

By Pauline Mendenhall

INDEXED

Deputy.

Fee, \$43.00

DV 1

Exhibit  
Page

A  
4

-4- BARGAIN AND SALE DEED

18216

The fee simple title to said land is, at the date hereof, vested in

DONALD E. BRECHTEL and MARTHA M. BRECHTEL, as tenants by the entirety.

The land referred to in this policy is described as:

The following described real property in Klamath County, Oregon:

Beginning at a point on the Section line 335 feet East of the Southwest corner of the Southeast Quarter of Southwest Quarter of Section 34, Township 40 South of Range 12 East of the Willamette Meridian; thence North to the South boundary line of the right-of-way of the Highline Canal of the Shasta View Irrigation District as now located and constructed; thence, following said south boundary line of the right-of-way of said Highline Canal of the Shasta View Irrigation District in a Southeasterly direction to the point where said south boundary line of said right-of-way intersects the south line of said Section 34, thence West on said south line of said Section 34 to the point of beginning.





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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Loyal H Loveness the 11 day  
of Sept A.D., 19 90 at 2:17 o'clock P M., and duly recorded in Vol. M91  
of Deeds on Page 18236

FEE 68.00

Loyal H Loveness  
23939 Holl Rd  
Malin, Ore 97632

Evelyn Biehn County Clerk  
By W. A. Mullen

INDEXED TO 7441

RECEIVED  
CLERK OF COUNTY OF CLATSOP  
JAN 20 1991  
JAN 20 1991  
JAN 20 1991