

KNOW ALL MEN BY THESE PRESENTS, That Evelyn McAtee, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by grantee, does hereby grant, bargain, sell and convey unto F. Richard Bogatay as to an undivided 1/9th interest, Jon-Robert Bogatay as to an undivided 1/9th interest, and Jo-Ann Henzel as to an undivided 1/9th interest, as tenants in common, hereinafter called grantee, the said grantee and 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:

An undivided 1/3 interest in and to the following:

A tract of land situated in Lot 1, Section 18 and Lot 5, Section 19, all in Township 38 S. R. 9 E.W.M., Klamath County, Oregon, being the portion of that tract described as Parcel No. 3 in Volume 297 at page 474, Deed Records of Klamath County, Oregon, lying South of the Dalles California Highway.

SUBJECT TO the exceptions listed on Exhibit "A".

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 of the above granted premises, free from all encumbrances except those listed on the attached Exhibit "A", 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 \$6,500.00.

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 6th day of August, 1991.

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.

Evelyn McAtee  
Evelyn McAtee

191 SEP 10 AM 9 53

18767

STATE OF ~~ARKANSAS~~ )  
~~SCRANTON~~ ) ss.  
COUNTY OF ~~KLAMATH~~ )

The foregoing instrument was acknowledged before me this 6th of August, 1991, by Evelyn McAtee.

(SEAL)

Chmy J. Strobel  
Notary Public for ~~Arkansas~~ Oregon  
My Commission Expires 3-15-1997

## GRANTOR'S NAME AND ADDRESS:

Evelyn McAtee  
Route 1, Box 134  
Scranton, AR 72863

## GRANTEE'S NAME AND ADDRESS:

Richard Bogatay, et al.  
621 Loma Linda Drive  
Klamath Falls, OR 97601

## AFTER RECORDING RETURN TO:

Jerry M. Molatore, P.C.  
426 Main Street  
Klamath Falls, OR 97601

UNTIL A CHANGE IS REQUESTED, ALL  
TAX STATEMENTS SHALL BE SENT TO  
THE FOLLOWING ADDRESS:

F. Richard Bogatay  
621 Loma Linda Drive  
Klamath Falls, OR 97601

STATE OF OREGON, )  
) ss.  
COUNTY OF KLAMATH )

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. F.     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

1. Agreement, including the terms and provisions thereof, given by The Klamath Development Co., a Corporation, to Pelican Bay Lumber Company, a corporation, recorded October 8, 1913, in Deed Volume 41 on page 60, records of Klamath County, Oregon.
2. Agreement, including the terms and provisions thereof, given by Pelican Bay Lumber Company, a Corporation, to The California Oregon Power Company, a corporation, recorded January 7, 1921, in Volume 79 on page 319, Deed Records of Klamath County, Oregon.
3. Easement including the terms and provisions thereof, given by Robert Bogatay Richard Bogatay, Joann Henzel, Al Schmeck, and Evelyn McAtee, to the City of Klamath Falls, Oregon, dated August 15, 1978 and recorded September 12, 1978, in M-78 on page 20138, records of Klamath County, Oregon.
4. Rights of the public in and to any portion of the above described property lying within the limits of roads or highways.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 18th day  
of Sept. A.D. 19 91 at 9:53 o'clock A M., and duly recorded in Vol. M91  
of Deeds on Page 18766

FEE \$38.00

Evelyn Biehn - County Clerk

By Debra M. Neider

**EXHIBIT A**