

KNOW ALL MEN BY THESE PRESENTS, That NORMAN C. FITZ GERALD and PATRICIA A. FITZ GERALD, as tenants by the entirety hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DAVID LEE KINGSBURY and CHARL LYNN KINGSBURY, 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:

The Northerly 55 feet of Lot 5 and the Westerly 15 feet of the Northerly 55 feet of Lot 4 in Block 42 of FIRST 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.

"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 those of

record and those apparent upon the land, if any, as 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 \$ 52,000.00

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 21st day of October, 19 91; 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, Klamath, ss.  
County of 10-21, 19 91.

Norman C. Fitz Gerald  
NORMAN C. FITZ GERALD  
Patricia A. Fitz Gerald  
PATRICIA A. FITZ GERALD

Personally appeared the above named \_\_\_\_\_  
NORMAN C. FITZ GERALD  
PATRICIA A. FITZ GERALD

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

Before me: Nancy M. Whinn  
Notary Public for Oregon  
My commission expires: 6-8-92

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)

NORMAN C. FITZ GERALD and PATRICIA A. FITZ GERALD  
406 LINCOLN

KLAMATH FALLS, OR 97601

GRANTOR'S NAME AND ADDRESS

DAVID LEE KINGSBURY and CHARL LYNN KINGSBURY

1650 MANZANITA ST.

KLAMATH FALLS, OR 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

DAVID LEE KINGSBURY and CHARL LYNN KINGSBURY

1650 MANZANITA ST.

KLAMATH FALLS, OR 97601

NAME, ADDRESS, ZIP

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

DAVID LEE KINGSBURY and CHARL LYNN KINGSBURY

1650 MANZANITA ST.

KLAMATH FALLS, OR 97601

NAME, ADDRESS, ZIP

STATE OF OREGON,

ss.

County of Klamath

I certify that the within instrument was received for record on the 21st day of Oct., 19 91, at 4:05 o'clock P. M., and recorded in book M91 on page 22027 or as file/reel number 36367.

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

Recording Officer

By Debra M. Nulander Deputy

EXHIBIT A  
LEGAL DESCRIPTION

A parcel of land situated in the NW 1/4 SW 1/4 of Section 28, Township 27 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the quarter section line 40 feet West of the Northeast corner of the Northwest quarter of the Southwest quarter of Section 28, Township 27 Sout, Range 8 East of the Willamette Meridian, Klamath County, Oregon; thence West 1280 feet, more or less, to the quarter corner on the West line of said Section 28; thence South 440.00 feet along the section line; thence East 1270 feet, more or less, on a line parallel with the East West center line of said Section 28 to a point Westerly and 40 feet perpendicular from the Westerly right of way of U.S. Highway No. 97; thence Northerly on a line parallel with said right of way line to a point Westerly and 40 feet perpendicular from the East line of the Northwest quarter of the Southwest quarter of said Section 28; thence North to the place of beginning.

EXCEPTING THEREFROM a parcel of land for road purposes situated in the NW 1/4 SW 1/4 of Section 28, Township 27 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, and being a portion of that property described in Volume M83, page 5812 Deed Records of Klamath County, Oregon, and being more particularly described as follows:

Commencing at the Northeast corner of the NW 1/4 SW 1/4 of said Section 28; thence North 89 degrees 55' 02" West along the center quarter section line, 40.00 feet to the true point of beginning; thence continuing along said section line North 89 degrees 55' 02" West 1281.56 feet to the West quarter corner of said Section 28; thence South 00 degrees 08' 16" West along the West line of said Section 28, 60.00 feet; thence South 89 degrees 55' 02" East 1281.56 feet; thence North 00 degrees 08' 21" East 60.00 feet to the true point of beginning. Bearings based on Survey No. 2749 on file in the Klamath County Surveyors' Office.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 21st day  
of Oct. A.D. 19 91 at 4:05 o'clock P.M., and duly recorded in Vol. M91,  
of Deeds on Page 22024.

FEE \$38.00

Evelyn Biehn - County Clerk

By *Orville M. Henderson*

22025

37138

1. 1991/92 Taxes, a lien ~~not yet~~ due and payable.
2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
3. An easement created by instrument, subject to the terms and provisions thereof,  
Dated: April 16, 1965  
Recorded: June 30, 1965  
Volume: 362, page 539, Deed Records of Klamath County, Oregon  
In favor of: Cascade Natural Gas Corporation
4. Lack of an insurable right of access to and from the land.