

1 THIS INDENTURE WITNESSETH, that HOWARD BARNHISEL and MAYBELLE E. BARNHISEL,
 2 also known as Mabel E. Barnhisel, as Tenants in Common, Grantors, for the con-
 3 sideration hereinafter stated have bargained and sold, and by these presents do
 4 grant, bargain, sell and convey unto HARRY D. BOIVIN and VIVIAN M. BOIVIN, hus-
 5 band and wife, Grantees, the following-described premises, situated in Klamath
 6 County, Oregon, to-wit:

7 PARCEL B: An undivided 1/12th interest in the following described real
 8 property:

9 A private road right-of-way situated in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Town-
 10 ship 38 South, Range 9 East of the Willamette Meridian, Klamath County,
 11 Oregon, and being more particularly described as follows:

12 Beginning at a chiseled cross on a stone monument buried in the ground,
 13 said stone being North 41° East a distance of 1094 feet, more or less,
 14 by record from the one-fourth corner common to Sections 31 and 32, Town-
 15 ship 38 South, Range 9 East of the Willamette Meridian, and from which
 16 stone monument a nail in a tree bears South 33°53' East a distance of
 17 18.40 feet, the center insulator on an electric transmission tower bears
 18 North 86°30' West and power pole K 4754 bears North 59°11' East; thence
 19 South 37°29'10" East a distance of 206.81 feet to a one-half inch iron
 20 pipe set in concrete on the Southerly edge of the Barnhisel entrance
 21 road, said point being the True Point of Beginning of this description
 22 and from which said point a spike in the base of a tree bears North
 23 30°48' West a distance of 19.40 feet; thence South 47°31' West 230.92
 24 feet to a one-half inch iron pin; thence North 42°29' West 18.00 feet
 25 to a one-half inch iron pin; thence North 47°31' East 235.25 feet to a
 26 one-half inch iron pin; thence North 69°39' East 52.37 feet to a one-half
 27 inch iron pin on the Northerly line of the Barnhisel property; thence
 28 South 52°00' East along said line 28.00 feet to a one-half inch iron
 29 pin; thence South 74°34' West 64.53 feet to the true point of beginning;
 30 with the bearings of the above description based on recorded survey
 31 number 1276.

32 SUBJECT TO:

1. Taxes for 1975-76 now a lien but not yet payable.
2. Easement and Agreement for pipe line and irrigation, including the terms and provisions thereof, given by Fred Heilbronner, et al., to The California Oregon Power Company, a corporation, dated March 21, 1925, recorded April 25, 1925, in Vol. 65, page 512, Deed Records of Klamath County, Oregon.
3. Easement contained in deed from The California Oregon Power Company, a corporation, to Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, dated April 30, 1947, recorded May 27, 1947, in Vol. 207 of Deeds, page 7, Records of Klamath County, Oregon, regarding water gauging station, water line, electric power line, domestic water system, etc.
4. Release of water rights and easement for roadway, including the terms and provisions thereof, given by Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, to The California Oregon Power Company, a California Corporation, dated May 16, 1947, recorded May 22, 1947, Vol. 206, page 429, Deed Records of Klamath County, Oregon.
5. Right of Way for Road, including the terms and provisions thereof, conveyed by Howard Barnhisel and Maybelle E. Barnhisel, husband and

Warranty Deed - Page 1.

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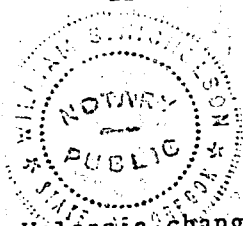
Howard Barnhise
HOWARD BARNHISEL

Maybelle E. Barnhise
MAYBELLE E. BARNHISEL, also known
as MABEL E. BARNHISEL

STATE OF OREGON)
County of Klamath) ss.

Personally appeared HOWARD BARNHISEL and MAYBELLE E. BARNHISEL
also known as MABEL E. BARNHISEL, husband and wife, and acknowledged
the foregoing instrument to be their voluntary act and deed.

BEFORE ME:



William S. Dushoff
Notary Public for Oregon
My Commission Expires: 2-28-77

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

Mr. and Mrs. Harry D. Boivin
210 Boivin Building
Klamath Falls, Oregon 97601

AFTER RECORDING RETURN TO:

Mr. and Mrs. Harry D. Boivin
210 Boivin Building
Klamath Falls, Oregon 97601

Boivin & Uerlings
110 N. 6th St.
Klamath Falls, Or. 97691

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Boivin & Uerlings
on this 5th day of Nov. A.D. 19 91
at 2:25 o'clock P M. and duly recorded
in Vol. M91 of Deeds Page 23160
Evelyn Biehn County Clerk
By Caroline Muelender Deputy.

Fec. \$43.00

WARRANTY DEED, PAGE FOUR.

an easement for existing drainage of springs and for complete drainage of existing swimming pool on First Party (Sellers)'s property described in Deed from Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, to The California Oregon Power Company, dated May 16, 1947, recorded May 22, 1947, Deed Vol. 206, page 429, records of Klamath County, Oregon. Said drainage now being through and across Parcels A, B, and through an existing lily pool or pond on the property described herein as Parcel A. First Party (Sellers) shall have the right to maintain, repair or replace the existing drainage culverts, or pipes, provided, however, Second Party (Buyers), their heirs, and assigns, shall have the option to fill the existing lily pool or pond on Parcel A and, in such event, shall provide a culvert or culverts for the drainage of said springs and complete drainage of the existing swimming pool across the property designated as Parcels A and B. (Affects Parcels A and B);

8. It is the intention of First Party (Sellers) and Second Party (Buyers), their heirs and assigns, that the property described above, as Parcel B, is being used as a private roadway by said First Party (Sellers) and Second Party (Buyers), their heirs and assigns, and said roadway shall be considered appurtenant to the property hereinabove designated as Parcel A, and the real property being presently owned by First Party (Sellers) and described in deed from Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, to The California Oregon Power Company, dated May 16, 1947, recorded May 22, 1947, in Deed Vol. 206, Page 429, Records of Klamath County, Oregon. That the cost of maintenance of said driveway be shared equally between the owners of the property adjacent to said driveway and that the use of said driveway shall not be impaired by any of the parties, their heirs and assigns, and no portion of said driveway shall be used for the parking of trailers, boats or recreational vehicles of any kind. (Affects Parcel B);

9. Reserving to First Party (Sellers), their heirs, and assigns, an easement and the right to maintain and replace when necessary the existing irrigation system installed by First Party (Sellers). The cost of maintenance and the replacement of pipes shall be paid for equally by those using said irrigation system. (Affects Parcels A and B);

10. Reserving to First Party (Sellers), their heirs and assigns, an easement for domestic water and gas lines installed by First Party (Sellers), and the right to maintain, extend or replace said water and gas lines. The cost of extension, maintenance or replacement to be paid by party or parties using the same. (Affects Parcel B).

The true and actual consideration paid for this conveyance is \$35,000.00.

WITNESS Grantors' hands this 18th day of June, 1974

South 33°53' East a distance of 18.40 feet, the center insulator on an electric transmission tower bears North 86°30' West and power pole K 4754 bears North 59°11' East; thence South 37°29' 10" East a distance of 206.81 feet to a one-half inch iron pipe set in concrete on the southerly edge of the Barnhisel entrance road, said point being the True Point of Beginning of this description and from which said point a spike in the base of a tree bears North 30°48' West a distance of 19.40 feet; thence South 47°31' West 230.92 feet to a one-half inch iron pin; thence North 42°29' West 18.00 feet to a one-half inch iron pin; thence North 47°31' East 235.25 feet to a one-half inch iron pin; thence North 69°39' East 52.37 feet to a one-half inch iron pin on the Northerly line of the Barnhisel property; thence South 52°00' East along said line 28.00 feet to a one-half inch iron pin; thence South 74°34' West 64.53 feet to the true point of beginning; with the bearings of the above description based on recorded survey number 1276.

SUBJECT TO:

1. Easement and agreement for pipe line, including the terms and provisions thereof, given by Fred Heilbronner, et al., to The California Oregon Power Company, a corporation, dated March 21, 1925, recorded April 25, 1925, in Vol. 65 of Deeds, page 512, records of Klamath County, Oregon (Affects Parcels A and B);

2. Easement contained in deed from The California Oregon Power Company a corporation to Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, dated April 30, 1947, recorded May 27, 1947, in Vol. 207 of Deeds, page 7, records of Klamath County, Oregon regarding water gauging station, water line, electric power line, domestic water system, etc. (Affects Parcels A and B);

3. Release of water rights and easement for roadway, including the terms and provisions thereof, given by Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, to The California Oregon Power Company, a California corporation, dated May 16, 1947, recorded May 22, 1947, in Vol. 206 of Deeds, page 429, Records of Klamath County, Oregon. (Affects Parcels A and B);

4. Right of Way for Road, including the terms and provisions thereof, conveyed by Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, to M. L. Johnson and Alice R. Johnson, as Parcel #3 in deed, dated September 11, 1947, recorded September 12, 1947, in Vol. 211 page 261, Deed Records of Klamath County, Oregon, as an easement for road purposes on and over the Barnhisel Entrance Road. (Affects Parcel B);

5. Easement, including the terms and provisions thereof, given by Howard Barnhisel and Maybelle E. Barnhisel, husband and wife, to the City of Klamath Falls, Oregon, dated October 31, 1960, recorded April 14, 1961, in Vol. 328 of Deeds, page 538, records of Klamath County, Oregon. (Affects Parcel B);

6. Agreement and conveyance, including the terms and provisions thereof, to establish boundary lines dated June 10, 1968, recorded June 18, 1968, in Vol. M68 page 5385, Microfilm Records of Klamath County, Oregon. (Affects Parcels A and B);

7. Reserving to First Party (Sellers), their heirs, and assigns,