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1-1-74

WARRANTY DEED

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49733

KNOW ALL MEN BY THESE PRESENTS, That TIMOTHY J. KERLEY AND MARJORIE E. KERLEY, HUSBAND AND WIFE

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by EDWARD GRANT SIMPSON AND MARY BRAYTON SIMPSON, 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, 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:

THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 13, TOWNSHIP 23, SOUTH, RANGE 9, EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON. EXCEPT A THIRTY FOOT STRIP OF LAND ON THE EAST LINE OF SAID PROPERTY FOR ROAD PURPOSES.

ALSO SEE ATTACHED EXHIBIT "A".

(If space insufficient, continue description on reverse side)

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

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 \$14,000.00.
~~Whereas the actual consideration consists of or includes the property of value given or promised which is the whole consideration (indicate which).~~ (The sentence between the symbols $\odot$, if not applicable, should be deleted. See ORS 93.030.)

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 1ST day of AUGUST, 19 75, 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.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of DESCHUTESAUGUST 1, 19 75.

Personally appeared the above named TIMOTHY J. KERLEY AND MARJORIE E. KERLEY

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

(OFFICIAL SEAL)

Notary Public for Oregon
 My commission expires: 2-1-78

STATE OF OREGON, County of _____) ss.

Personally appeared _____

and each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____

_____ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon
 My commission expires: _____

STATE OF OREGON,

County of _____) ss.

I certify that the within instrument was received for record, on the _____ day of _____, 19 _____,

at _____ o'clock _____ M., and recorded in book _____ on page _____ or as file/reel number _____

Record of Deeds of said county.

Witness my hand and seal of County affixed.

By _____

Recording Officer
 Deputy

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

EDWARD & MARY SIMPSON
1452 SANTA FE DR
ENCINITAS CA 92024

NAME, ADDRESS, ZIP

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

EDWARD & MARY SIMPSON
1452 SANTA FE DR
ENCINITAS CA 92024

NAME, ADDRESS, ZIP

SPACE RESERVED
 FOR
 RECORDER'S USE

4029

EXHIBIT "A"

EASEMENT

In consideration of the sum of \$ 15.00, FRED L. MAHN conveys to T. J. KERLEY, his heirs, successors and assigns, Grantee, a perpetual non-exclusive easement to use a strip of land thirty (30) feet in width, located as follows across the property of Grantor:

Commencing at the Northerly edge of the intersection of Mahn Road and the Easterly boundary of the Southeast One-Quarter of the Northwest One-Quarter of Section 13, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and continuing in a Northerly direction on the Easterly boundary of said parcel to the Southeast corner of the Northeast One-Quarter of the Northwest One-Quarter of Section 13, Township 23 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

The terms of this easement are as follows:

1. Grantee, his agents, independent contractors and invitees, shall use the easement strip for road purposes only for access to the property described in Paragraph 4 and in conjunction with such use may construct, reconstruct, maintain and repair a road thereon.

2. This Easement shall be perpetual; however, in the event that it is not used by Grantee for a period of three years, or if otherwise abandoned by Grantee, the easement shall automatically expire and Grantee shall, upon request, execute a recordable document evidencing such expiration.

3. This Easement is granted subject to all prior easements or encumbrances of record.

4. The following is a description of Grantee's property to which this Easement is appurtenant:

The Southeast 1/4 of the Northeast 1/4 Northwest 1/4 of Section 13, Township 23, South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

LAW OFFICES OF
MERRILL & O'SULLIVAN
327 N.W. GREENWOOD
BEND, OREGON 97701

19324

IN WITNESS WHEREOF, the parties have caused this instrument to be executed on the 3 day of June

Grantor

Fred L. Mahr
FRED L. MAHN

Grantee

T. J. KERLEY

STATE OF OREGON)

County of Deschutes)

ss.

2 June, 1975.

Personally appeared the above named FRED L. MAHN and
Before me:

Lawrence B. O'Neill
Notary Public for Oregon
My Commission Expires: 4-7-77

STATE OF OREGON)

County of Deschutes)

ss.

June 4 1975, 1975.

Personally appeared the above named T. J. KERLEY and
Before me:

Jack A. L. Dyer
Notary Public for Oregon
My Commission Expires: 3/4/78

STATE OF OREGON,)
County of Klamath) ss.

Filed for record at request of:

on this 25th day of Aug. A.D., 19 92
at 2:05 o'clock P M. and duly recorded
in Vol. M92 of Deeds Page 19322

Evelyn Biehn County Clerk

By Richard M. Henderson

Fee, \$40.00

Deputy.

LAW OFFICES

MERRILL & O'SULLIVAN

327 N.W. GREENWOOD
BEND, OREGON 97701

Easement