

54669

WARRANTY DEED

MTZ 28827 MK

Vol. 92 Page 28570

KNOW ALL MEN BY THESE PRESENTS, That KENNETH D. SWANSON, SHELLI D. SWANSON,  
FRED TSHOPPE also known as FRED TSCHOPP

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Trustees of  
THE MULVEY LOVING TRUST, 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:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

TOGETHER WITH 1977 Barri Mobile Home, Oregon License #X131749, Serial #9134786308  
which is situate on the real property described herein.

"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 \$ 330,000.00.  
However, the actual consideration consists of or includes other property or value given or promised which is the ~~same~~  
part of the consideration (indicate which). (The sentence between the symbols, 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 2nd day of December, 1992;  
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, )  
County of Klamath ) ss.  
December 2nd, 19 92

KENNETH D. SWANSON

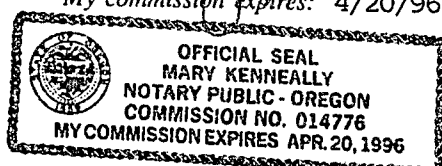
SHELLI D. SWANSON

Personally appeared the above named  
Kenneth D. Swanson, Shelli D. Swanson  
& Fred Tshopp

FRED TSHOPPE also know as FRED TSCHOPP  
*Fred Tshopp Fred Tschopp as his att in fact*

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

Before me: *Mary Kenneally*  
Notary Public for Oregon  
My commission expires: 4/20/96



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)

Kenneth D. & Shelli D. Swanson  
Fred Tshopp  
1954 Portland, Klamath Falls, OR 97601  
GRANTOR'S NAME AND ADDRESS

Trustees of The Mulvey Loving Trust  
5524 Walton Drive  
Klamath Falls, OR 97603  
GRANTEE'S NAME AND ADDRESS

After recording return to:  
Trustees of The Mulvey Loving Trust  
5524 Walton Drive  
Klamath Falls, OR 97603  
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:  
Trustees of The Mulvey Loving Trust  
5524 Walton Drive  
Klamath Falls, OR 97603  
NAME, ADDRESS, ZIP

STATE OF OREGON, ) ss.  
County of \_\_\_\_\_

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



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 2, BAILEY TRACTS NO. 2, in the County of Klamath, State of Oregon, EXCEPTING THEREFROM the South 60 feet of Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 2 of BAILEY TRACTS NO. 2, in the County of Klamath, State of Oregon.

ALSO EXCEPTING: Beginning at the Southwest corner of Lot 9, Block 2 of BAILEY TRACTS NO. 2; thence East 639 feet; thence South 60 feet; thence West 639 feet; thence North 60 feet to the place of beginning, being a part of BAILEY TRACTS NO. 2, which was formerly Nadine Street.

ALSO EXCEPTING THEREFROM a portion of Lots 8 and 9, Block 2, BAILEY TRACTS NO. 2, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point on the West line of Lot 9, Block 2, BAILEY TRACTS NO. 2, which bears North 0 degrees 02' East 135 feet from the Southwest corner of said Lot 9; thence South 89 degrees 59' East 149 feet to the East line of Lot 8 said Block 2; thence North 0 degrees 02' East along the East line of said Lot 8 a distance of 75 feet; thence North 89 degrees 59' West a distance of 149 feet more or less to the West line of said Lot 9; thence South 0 degrees 02' West along the West line of said Lot 9 a distance of 75 feet, more or less to the point of beginning.

ALSO EXCEPTING THEREFROM: Beginning at a point on the West line of Lot 9, Block 2, BAILEY TRACTS NO. 2, which bears North 0 degrees 02' East 60 feet from the Southwest corner of said Lot 9; thence South 89 degrees 59' East 149 feet to the East line of Lot 8 said Block 2; thence North 0 degrees 02' East along the East line of said Lot 8 a distance of 75 feet; thence North 89 degrees 59' West a distance of 149 feet, more or less, to the West line of said Lot 9; thence South 0 degrees 02' West along the West line of said Lot 9 a distance of 75 feet, more or less, to the point of beginning, being a portion of Lots 8 and 9 in Block 2 of BAILEY TRACT NO. 2.

EXCEPTING THEREFROM a tract of land situated in Lots 1, 2 and 3 Block 2 of "Bailey Tracts No. 2", a duly recorded subdivision and in the NE1/4 SE1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the E1/4 of said Section 2; thence South 42 degrees 38' 05" West 637.81 feet to the Southeast corner of the proposed Albertson's parcel, being the true point of beginning of this description; thence North 00 degrees 00' 26" East, along the East line of said proposed Albertson's Parcel, 164.23 feet, more or less, to a point on the Northerly line of that Tract of land described as Parcel 1 in Deed Volume M89, page 25,077, Microfilm Records of Klamath County, Oregon (Southerly line of the Enterprise Irrigation District Canal); thence Westerly, along said Northerly line, North 70 degrees 23' 30" West 147.82 feet, South 79 degrees 35' 30" West 51.00 feet, and South 39 degrees 28' 30" West 68.00 feet, more or less, to a point on the East line of said "BAILEY TRACTS NO. 2"; thence South 00 degrees 03' 14" West, along said East line, 5.56 feet, more or less, to the Northeast corner of Block 2 of said "BAILEY TRACTS NO. 2"; thence along the Northerly line of said Block 2, South 39 degrees 42' 12" West 110.05 feet, South 56 degrees 51' 29" West 83.54 feet, and South 70 degrees 34' 13" West 74.16 feet to the Northwest corner of Lot 3 Block 2; thence North 88 degrees 54' 32" East 442.90 feet to the true point of beginning.

ALSO EXCEPTING a tract of land situated in Lots 8 and 9 Block 2 of "BAILEY TRACTS NO. 2", a duly recorded subdivision, being in the NE1/4 SE1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of said Lot 9 Block 2; thence North 83 degrees 46' 55" East 79.55 feet to the Northeast corner of said Lot 9 Block 2; thence South 66 degrees 29' 10" East, along the Northerly line of said Lot 8 Block 2, 18.22 feet; thence South 83 degrees 33' 31" West 96.45 feet, to a point on the West line of said Lot 9 Block 2; thence North 00 degrees 17' 12" East 9.48 feet to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co the 2nd day of Dec. A.D., 19 92 at 1:45 o'clock P.M., and duly recorded in Vol. M92, of Deeds on Page 28570.

FEE \$35.00

Evelyn Biehn County Clerk

By Daniel M. Mullender