

61223

WARRANTY DEED (INDIVIDUAL)

93 MAY 10 AM 10 47

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JOHN C. CARTER and NORMA L. CARTER, husband and wife

WILLIAM RODE and LISA RODE, husband and wife

all that real property situated in the County of Klamath, State of Oregon, described as:

SEE ATTACHED EXHIBIT "A" FOR DESCRIPTION OF REAL PROPERTY

DM THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except Those contained in Exhibit "A" attached hereto

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 247,620.00

**

Dated this 30TH day of April, 19 84.

John C. Carter
John C. Carter
Norma L. Carter
Norma L. Carter

STATE OF OREGON, County of Klamath) ss.

On this 30TH day of April, 19 84 personally appeared the above named JOHN C. CARTER and NORMA L. CARTER and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Susan C. Patko
Notary Public for Oregon
My commission expires: 11-2-86

- * The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.
- ** If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

WARRANTY DEED (INDIVIDUAL)

John C. Carter
Norma L. Carter

TO

William Rode
Lisa Rode

After Recording Return to:

William Rode Aspen Title
Lisa Rode Attn: Escrow Dept.
824 Marsh Avenue
Reno, NV 89509

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 _____ Records of Deeds of said County.

Witness my hand and seal of County affixed.

Title

By _____ Deputy

A portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at an iron pin which lies North 0° 51' West along the 40 line a distance of 462.3 feet, and North 89° 09' East, a distance of 262.2 feet, and South 46° 09' East, a distance of 428.4 feet from the iron axle which marks the Southwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, in Klamath County, Oregon; and running thence: Continuing on South 46° 09' East a distance of 129.4 feet to an iron pin; thence North 43° 51' East, a distance of 384 feet to an iron pin on the Southerly right of way line of the Klamath Falls-Lakeview Highway, which is 30 feet, measured at right angles from the centerline; thence North 46° 09' West a distance of 129.4 feet along said right of way line to an iron pin; thence South 43° 51' West, a distance of 384 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its State Highway Commission, recorded July 5, 1972 in Volume M-72 at page 7243, Microfilm Records of Klamath County, Oregon.

SUBJECT TO:

1. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Enterprise Irrigation District.
2. Subject to an easement for ditches and/or pipe lines to convey water for benefit of adjoining property owners as shown in deed dated July 15, 1957, recorded May 5, 1958 in Volume 299 at page 244, Deed Records of Klamath County, Oregon.

3. An easement created by instrument, including the terms and provisions thereof,
 Dated : May 31, 1972
 Recorded : July 5, 1972 Book: M-72 Page: 7246
 In Favor of : Pacific Power & Light Company, a corporation
 For : 3 foot wide easement for overhang

4. Contract, including the terms and provisions thereof,
 Dated : February 19, 1977
 Recorded : March 21, 1977 Book: M-77 Page: 4640
 Vendor : James E. Chaney and Wilda L. Chaney, husband and wife
 Vendee : Frank L. Tofell and Janice M. Tofell, husband and wife

The Vendees interest in said Contract was assigned by instrument
 Recorded : August 25, 1978 Book: M-78 Page: 18878
 To : John C. Carter and Norma L. Carter, Co-partners

5. An easement created by instrument, including the terms and provisions thereof,
 Dated : November 1, 1977
 Recorded : November 28, 1977 Book: M-77 Page: 23006
 In favor of : South Suburban Sanitary District
 For : 15 foot wide sewer line

6. Memorandum of Contract, including the terms and provisions thereof, a memorandum of which was,
 Dated : August 15, 1978
 Recorded : August 25, 1978 Book: M-78 Page: 18878
 Vendor : Frank L. Tofell and Janice M. Tofell, husband and wife
 Vendee : John C. Carter and Norma L. Carter, Co-Partners

The Vendor's interest in said Contract was acquired by instrument
 Dated : January 26, 1982
 Recorded : February 8, 1982 Book: M-82 Page: 1626
 By : Frank L. Tofell

The Vendor's interest in said contract was assigned by instrument
 Dated : January 14, 1982
 Recorded : February 8, 1982 Book: M-82 Page: 1628
 To : Frank Tofell

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen the 10th day
 of May A.D. 19 93 at 10:47 o'clock A M., and duly recorded in Vol. M93
 of Deeds on Page 10338

Evelyn Biehn - County Clerk
 By Caroline Mueland

FEE \$35.00