

After recording return to:
Claude T. & Marilyn S. Hagerty
28611 Transformer Road
Malin, OR 97632

07-06-93P03:38 RCVD

1294-39

STATUTORY BARGAIN AND SALE DEED

MTC 29790-LIK

GRANTOR: FARM CREDIT BANK OF SPOKANE, successor by merger to The Federal Land Bank of Spokane, a Federal corporation, with its office and principal place of business at West 601 First Avenue (P. O. Box TAF-C5) Spokane, Washington 99220-4005

GRANTEE: CLAUDE T. HAGERTY and MARILYN S. HAGERTY, husband and wife

CONSIDERATION: \$71,500.00

ADDRESS FOR SENDING TAX STATEMENTS: 19515 Harpold Road

~~Malin, OR 97632~~

Grantor conveys to Grantee the following described real property situate in Klamath County, State of Oregon, to-wit:

The NW1/4 NW1/4 of Section 5, Township 41 South, Range 12 East of the Willamette Meridian,

EXCEPTING: The following described parcel conveyed by the deed dated June 9, 1950, recorded June 12, 1950 in Deed Volume 239, page 398, Records of Klamath County, Oregon, wherein Marion E. Monfore, et ux., were Grantors and Shasta View Irrigation District was Grantee, to-wit:

Beginning at the Northeast corner of the NW1/4 NW1/4 of Section 5, Township 41 South, Range 12 East of the Willamette Meridian, and running thence South along the East line of the said NW1/4 NW1/4 of Section 5, Township 41 South, Range 12 East of the Willamette Meridian, 379.1 feet to the true point of beginning; as above described and continuing thence South along the said East line of the NW1/4 NW1/4 of Section 5, Township 41 South, Range 12 East of the Willamette Meridian, 594.1 feet to a point; thence North 67°06' West 100 feet to a point; thence North 1°48' West 541.3 feet to a point; thence North 76°34' East to the true point of beginning.

TOGETHER WITH:

- 1) The following described surface irrigation equipment:
 - 1,320 feet of 3-inch handline,
 - 1,320 feet of 4-inch wheel-line,
 - 1 Big Gun sprinkler
 - 870 feet of 8-inch mainline without valves
 - 1,320 feet of 6-inch mainline with valves.
- 2) All appurtenant irrigation water rights.
- 3) Seller's interest as Landlord in a month-to-month residential rental agreement under which the residence on such premises is rented but the farm land is not covered thereby.

SUBJECT TO:

- 1) The premises having been zoned or classified as Farm Use Land as disclosed by the assessment roll and the tax roll. If at any time the land is disqualified for such use by virtue of any act of Purchaser or otherwise, Purchaser shall pay all additional taxes, interest and/or penalties which may be assessed.
- 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) The statutory powers, including the power of assessment, of Shasta View Irrigation.
- 4) An easement created by instrument, including the terms and provisions thereof, dated February 13, 1942 and recorded March 12, 1942 in Volume 145, page 607 of Deed Records of Klamath County, Oregon in favor of The California Oregon Power Company for 10-foot wide pole and wire line.

5) An easement created by instrument, including the terms and provisions thereof, dated June 9, 1947 and recorded June 17, 1947 in Volume 207, page 425, Microfilm Records of Klamath County, Oregon in favor of The California Oregon Power Company for down guy and anchor.

6) An easement created by instrument, including the terms and provisions thereof, dated May 10, 1954 and recorded May 19, 1954 in Volume 267, page 86, Deed Records of Klamath County, Oregon in favor of The California Oregon Power Company for down guy and anchor.

7) An easement created by instrument, including the terms and provisions thereof, dated May 4, 1962 and recorded June 11, 1962 in Volume 338, page 186, Deed Records of Klamath County, Oregon in favor of Pacific Power & Light Company for one anchor and guy.

8) Rights of tenant in possession under the residential rental agreement referred to under Together With No. 3 above.

This deed is given in performance of that certain contract of sale entered into on June 2, 1989, by FARM CREDIT BANK OF SPOKANE, as Seller, and CLAUDE T. HAGERTY and MARILYN S. HAGERTY, husband and wife, Grantee herein, as Purchaser. The covenants of warranty herein contained shall not apply to any title, interest or encumbrances arising by, through or under any persons holding the Purchaser's interest in said contract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said contract.

EXECUTED this 6th day of June, 1989.

GRANTOR: FARM CREDIT BANK OF SPOKANE

By Ann Hilton
Its Sec. Credit Officer

STATE OF OREGON)
) ss. June 6, 1989.
County of Klamath)

Personally appeared Ann Hilton of the Farm Credit Bank of Spokane, a corporation, and with authority acknowledged that the foregoing instrument was executed on behalf of the corporation and was its voluntary act and deed.

Before me:

Heida Stelle
Notary Public for Oregon
My commission expires: 7/13/89

PURSUANT TO ORS 93.040: 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.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 6th day of July A.D. 19 93 at 3:38 o'clock P. M., and duly recorded in Vol. M93 of Deeds on Page 16212.

FEE \$35.00

Evelyn Biehn County Clerk
By Douglas S. Harrison