

66898

08-26-93P02:04 RCVD

BARGAIN AND SALE DEED

Vol. 93 Page 21537

KNOW ALL MEN BY THESE PRESENTS, That JAMES F. STILWELL, hereinafter called the grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto JAMES F. STILWELL, as Trustee of the JAMES F. STILWELL REVOCABLE LIVING TRUST, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A".

TO HAVE AND TO HOLD the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ None.

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 24th day of Augustm 1993.

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.

James F. Stilwell
JAMES F. STILWELL

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

The foregoing instrument was acknowledged before me this 24 day of August, 1993, by JAMES F. STILWELL.

(SEAL)



Lisa M. Lucas
Notary Public for Oregon
My Commission Expires 10/7/94

Real property situated in Klamath County, Oregon, described as follows:

An undivided 40% interest in the following:

Parcel I:

A part of Tract 36 of Enterprise Tracts, more particularly described as follows: Beginning at a point marking the intersection of the Southeasterly line of Avalon Street with the Northeasterly line of Pershing Way, which point bears South $0^{\circ} 00\frac{1}{2}'$ East a distance of 542.44 feet and South $55^{\circ} 50\frac{1}{2}'$ East a distance of 961.79 feet from the Northwest corner of Section 3, Twp. 39 S., R. 9 E.W.M.; thence North $30^{\circ} 38\frac{1}{2}'$ East, along the Southeasterly line of Avalon Street, a distance of 50.0 feet to a point; thence South $59^{\circ} 21\frac{1}{2}'$ East at right angles to Avalon Street, a distance of 150.0 feet to a point; thence South $30^{\circ} 38\frac{1}{2}'$ West, parallel with Avalon Street, a distance of 59.3 feet, more or less, to the Northeasterly line of Pershing Way; thence North $55^{\circ} 50\frac{1}{2}'$ West, along the Northeasterly line of Pershing Way, a distance of 150.28 feet, more or less, to the point of beginning.

An undivided 40% interest in the following:

Parcel II:

A parcel of land situated in the NW $\frac{1}{4}$ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon, more particularly described as follows: Beginning at the northwest corner of said Section 3, said point being marked by a cased iron pin; thence South $0^{\circ} 00'30''$ East along the westerly line of said Section 3 a distance of 826.80 feet to its intersection with a line parallel with and 75.0 feet distant at right angles northeasterly from the centerline of the Klamath Falls-Lakeview Highway, also known as South Sixth Street, as the same is now located and constructed, said parallel line also being the northerly right-of-way line of said Highway; thence South $55^{\circ} 52' 30''$ East along said right-of-way line 1681.84 feet, more or less, to an iron pin on the northwesterly line of Austin Street, said point being the True Point of Beginning of this description; thence North $34^{\circ} 07'30''$ East along said line a distance of 175.00 feet to an iron pin on the southerly boundary of Pershing Way; thence North $55^{\circ} 52'30''$ West along said line a distance of 131.05 feet to an iron pin; thence South $34^{\circ} 07'30''$ West parallel with Austin Street a distance of 175.00 feet to an iron pin on the northerly boundary of South Sixth Street; thence South $55^{\circ} 52'30''$ East along said boundary a distance of 131.05 feet, more or less, to the True Point of Beginning of this description.

EXHIBIT "A"

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An undivided 40% interest in the following:

Parcel III:

The Westerly 75 feet of that parcel of land situated in Lots 33A and 36, Enterprise Tracts, more particularly described as follows:

Starting at the Northwest corner of Section 3, Township 39 South, Range 9 E.W.M., and running thence South 00°00'30" East along the Westerly boundary of said Section 3, 826.8 feet, more or less, to its intersection with a line parallel with and 75.0 feet distant at right angles Northeasterly from the center line of the Dalles-California Highway, also known as South Sixth Street as the same is now located and constructed, thence South 55°52½' East along said parallel line, being also the Northeasterly boundary of South Sixth Street, 1016.2 feet, more or less, to an iron pin marking the true point of beginning of this description, said point also marking the boundary between lands of First National Bank of Oregon and Alfred D. Collier, from which point the witness monument cross chiseled in the concrete sidewalk by the Oregon State Highway Department on July 15, 1947, bears South 34°07½' West 10.0 feet; running thence from said true beginning point South 55°52½' East along the Northeasterly boundary of South Sixth Street 150.0 feet to an iron pin marking the boundary between the lands of Alfred D. Collier and Frank P. Drew and the center line of the party wall between these lands covered by party wall agreement dated June 1, 1948, and filed January 25, 1949, in Klamath County Deed Records, in Volume 228 at page 196, from which said pin the witness monument cross chiseled in the concrete sidewalk by the Oregon State Highway Department on July 15, 1947, bears South 34°07½' West 10.0 feet; thence following center line of said party wall and its extension North 34°07½' East at right angles to South Sixth Street 175.0 feet to an iron pin set in the Southwesterly boundary of the County Road known as Pershing Way; thence North 55°52½' West along said boundary parallel to South Sixth Street 150.0 feet to an iron pin marking the boundary between lands of the First National Bank of Oregon and Alfred D. Collier; thence South 34°07½' East at right angles to South Sixth Street along said boundary 175.0 feet to the true point of beginning.

A 100% interest in the following:

A tract of land described as follows: Beginning at an iron pin on the East West Quarter line which lies East along the quarter line a distance of 669.9 feet from the quarter section corner common to Sections 14 and 15, Township 39 South, Range 9 E.W.M. in Klamath County, Oregon, and running thence: Continuing East along the quarter line a distance of 50 feet to an iron pin; thence North 12°00' East a distance of 470.25 feet to an iron pin on the Southerly right of way line of South Etna Street; thence North 37°18' West along the Southerly right of way line of South Etna Street a distance of 243.4 feet to an iron pin; thence South a distance of 653.8 feet more or less to the point of beginning. Said parcel situate in the Southwest Quarter of the Northwest Quarter of Section 14, Township 39 S. R. 9 E.W.M.

SAVING AND EXCEPTING that portion lying South of the Easterly projection of the South line of Lot 18 of Summers Heights.

EXHIBIT " A "

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GRANTOR'S NAME AND ADDRESS:

James F. Stilwell
5170 South Etna
Klamath Falls, OR 97601

GRANTEE'S NAME AND ADDRESS:

James F. Stilwell, Trustee
of the James F. Stilwell
Revocable Living Trust
5170 South Etna
Klamath Falls, OR 97601

AFTER RECORDING RETURN TO:

Jerry Molatore
426 Main Street
Klamath Falls, OR 97601

UNTIL A CHANGE IS REQUESTED, ALL
TAX STATEMENTS SHALL BE SENT TO
THE FOLLOWING ADDRESS:

James F. Stilwell
5170 South Etna
Klamath Falls, OR 97601

STATE OF OREGON,)
) ss.
COUNTY OF KLAMATH)

I certify that the within
instrument was received for record
on the 26th day of Aug., 19 93,
at 2:04 o'clock P.M., and
recorded in book/reel/volume No.
M93 on page 21537 or
as fee/file/instrument/microfilm/
reception No. 66898, Record
of Deeds of said county.

Witness my hand and seal of
County affixed.

Evelyn Biehn, County Clerk
Name Title

By Jerry Molatore
Deputy

Fee \$45.00