

OA 65768

WARRANTY DEED

Vol. 93 Page 24999

KNOW ALL MEN BY THESE PRESENTS, That **THE FEDERAL LAND BANK OF SPOKANE**, a corporation,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by **DANIEL LEE SMITH and TERRI RUTH SMITH**, 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:

That certain property as more particularly described in Exhibit "A" attached hereto and made a part hereof as if fully written herein.

(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 \$140,000.00.

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole or 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 11th day of May, 1987; 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.

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.

THE FEDERAL LAND BANK OF SPOKANE

By Eldwin Sorensen
Eldwin Sorensen, authorized signature

STATE OF OREGON,)
County of _____) ss.
_____, 19____

STATE OF OREGON, County of Klamath) ss.
May, 1987
Personally appeared Eldwin Sorensen and

Personally appeared the above named _____

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

Before me:
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires: _____

who, being duly sworn, each for himself and not one for the other, did say that Eldwin Sorensen is authorized to sign on behalf of The Federal Land Bank of Spokane, 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:
Kristina Kedd
Notary Public for Oregon
My commission expires: 11/16/87 (If executed by a corporation, affix corporate seal)

THE FEDERAL LAND BANK OF SPOKANE

GRANTOR'S NAME AND ADDRESS

**DANIEL LEE SMITH
TERRI RUTH SMITH**

GRANTEE'S NAME AND ADDRESS

After recording return to

Mountain Title Company

NAME, ADDRESS, ZIP

Unless a change is requested all tax statements shall be sent to the following address.

Tami Jo Carter
3939 S. 6th St. #286
Klamath Falls, OR 97603
NAME, ADDRESS, ZIP

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/reel/volume No. _____ on page _____ or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME TITLE
By _____ Deputy

PARCEL 1

Township 35 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Section 31: S1/2 S1/2 N1/2 NE1/4, S1/2 NE1/4, SE1/4 and that portion of the S1/2 N1/2 SE1/4 NW1/4, S1/2 SE1/4 NW1/4, N1/2 SW1/4 and the SE1/4 SW1/4 lying East of the Sprague River.

Section 32: That portion of the S1/2 SW1/4 lying West of the Sprague River.

Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Section 5: Lot 4, SW1/4 NW1/4 and that portion of Lot 3 and the SE1/4 NW1/4 lying West of Sprague River

Section 6: Lots 1 and 2, S1/2 NE1/4

PARCEL 2

Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

Section 6: That portion of Lot 3, SE1/4 NW1/4 and the NE1/4 SW1/4 lying East of the Sprague River

Said property is subject to:

- (a) The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given. Any such additional tax or penalty shall be the sole responsibility of Buyers (grantees).
- (b) Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
- (c) Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of the Sprague River.
- (d) Reservations and restrictions, including the terms and provisions thereof, as set forth in Land Status Reports recorded November 24, 1958 in Volume 306, Page 582, recorded November 24, 1958 in Volume 306, Page 606, recorded December 22, 1958 in Volume 308, Page 115, recorded January 12, 1959 in Volume 308, Page 463, recorded January 13, 1959 in Volume 308, Page 539, and recorded September 10, 1956 in Book 303 at Page 528, all Deed Records of Klamath County, Oregon.
- (e) Right of Way Agreement, including the terms and provisions thereof, for gas transmission lines on location thereof, recorded March 21, 1960 in Volume 319, Page 569, recorded April 19, 1960 in Volume 320 at Page 367, recorded September 21, 1961 in Volume 332, Page 346, recorded September 25, 1961 in Volume 332, Page 456, all Deed Records of Klamath County, Oregon.
Notice of Location, including the terms and provisions thereof, recorded January 17, 1979 in Volume M79, Page 1316 and 1325, Microfilm Records of Klamath County, Oregon.

~~(f) An easement created by instrument, including the terms and provisions thereof, recorded June 20, 1979 in Volume M79, Page 14577, Microfilm Records of Klamath County, Oregon in favor of James R. Gould and Gerald E. Gartner and Joyce E. Gartner for perpetual non-exclusive easement to use 15 foot strip of land being the North 15 feet of S 1/2 SW 1/4 Section 32 West of River.~~

- (g) An easement created by instrument, including the terms and provisions thereof, dated March 14, 1984, recorded August 3, 1984 in Volume M84, Page 13315, Microfilm Records of Klamath County, Oregon, in favor of Telephone Utilities of Eastern Oregon, Inc. for underground electric facilities.
- (h) An easement created by instrument, including the terms and provisions thereof, dated March 14, 1984, recorded January 8, 1985, in Volume M85, Page 325, Microfilm Records of Klamath County, Oregon in favor of Telephone Utilities of Eastern Oregon, Inc. for underground electric facilities..
- (i) Rights of redemption under Mortgage Foreclosure and such further exceptions as may appear upon the exercise thereof within the time allowed by law. Suit No. 86-267 CV. Property was sold at Sheriff's Sale on November 17, 1986.
- (j) Execution and recordation of proper Sheriff's Deed to vestees.
- (k) Lack of right of access to and from said land. The within described property does not appear of record to have access to a public street or way.
- (l) This instrument will now 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
of Sept. A.D. 19 93 at 10:11 o'clock A M., and duly recorded in Vol. M93
of Deeds on Page 24999.

FEE \$40.00

Evelyn Biehn - County Clerk

By Pauline Mullendore