

OK

69536

WARRANTY DEED

Vol. m93 Page 26541

**KNOW ALL MEN BY THESE PRESENTS, That** Western Bank, an Oregon banking corporation formerly doing business as Central Point State Bank, an Oregon state banking corporation hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Bill Heller and Donna Heller, 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:

As detailed in the attached Exhibit "A" that by reference herein forms and becomes a part hereof .....

(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, except as detailed in the attached Exhibit "B" that by reference herein forms and is made a part hereof .....

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 \$ 60,000.00

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 29th day of September, 1993; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by Western Bank, an Oregon banking corporation for Central Point State Bank, an Oregon state banking corporation

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.

By: Yvonne Spooner, AVP  
Yvonne Spooner, Assistant Vice President.

STATE OF OREGON,

County of .....

19.....

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:

STATE OF OREGON, County of Coos

September 29, 1993

Personally appeared Yvonne Spooner

who, being duly sworn, each for himself and not one for the other, did say that the within is the Assistant Vice president and that the latter is the secretary of

Western Bank

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:

Susan K. Bee  
Notary Public for Oregon

My commission expires: 7/7/96

Western Bank  
290 S. 4th Street  
Coos Bay, OR 97420

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Mr. & Mrs. Bill Heller  
20452 Pickford Way  
Piedmont, CA 94602

NAME, ADDRESS, ZIP

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

As Above

NAME, ADDRESS, ZIP

STATE OF OREGON,

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/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

A tract of land situated in the E 1/2 NE 1/4 of Section 13, 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 the most Southerly point of Tract 1085-Country Green a duly recorded plat, said point being on the Southerly right of way line of Alt Way and 15.00 feet Easterly of the centerline of the Enterprise Irrigation District ditch as constructed, said point being South 65 degrees 17' 56" East 1644.59 feet from the North quarter corner of said Section 13; thence Easterly along the Southerly line of said Tract 1085-Country Green North 66 degrees 35' 44" East 77.54 feet, along the arc of a curve to the left (radius = 230.00 feet, central angle = 21 degrees 57' 17") 88.13 feet; North 44 degrees 38' 27" East 276.89 feet, South 45 degrees 21' 33" East 20.00 feet, along the arc of a curve to the right (radius = 280.00 feet, central angle = 15 degrees 10' 46") 74.18 feet, North 80 degrees 31' 20" East 184.49 feet, North 12.00 feet; thence leaving said Southerly line, North 72 degrees 58' 03" East 207.58 feet; thence North 89 degrees 29' 13" East 100.00 feet; thence South 84 degrees 14' 48" East 46.50 feet to the Westerly line of the Enterprise Irrigation District Canal; thence along said Westerly line, South 05 degrees 22' 23" West 116.17 feet, along the arc of a curve to the left (radius = 125.00 feet, central angle = 49 degrees 30' 10") 108.00 feet, South 44 degrees 07' 47" East 165.75 feet, along the arc of a curve to the right (radius = 75.00 feet, central angle = 73 degrees 27' 34") 96.16 feet, South 29 degrees 19' 47" West 344.20 feet; thence leaving said Westerly line, South 72 degrees 58' 03" West 733.37 feet to a point 15.00 feet Easterly of the centerline of the Enterprise Irrigation District ditch as constructed; thence Northerly along a line parallel with and 15.00 feet Easterly of the centerline of said ditch, North 38 degrees 13' 35" West 134.69 feet, along the arc of a curve to the right (radius = 205.00 feet, central angle = 17 degrees 21' 40") 86.36 feet, North 20 degrees 51' 55" West 224.49 feet, along the arc of a curve to the right (radius = 335.00 feet, central angle = 37 degrees 46' 05") 220.82 feet, North 16 degrees 54' 10" East 27.02 feet to the point of beginning, with bearings based on said Tract 1085-Country Green.

CODE 100 MAP 3909-13AA TL 7000

x *Bill Heller*  
Bill Heller

x *Donna Heller*  
Donna Heller  
W 87

Dated 10-2-93

1. 1993-94 taxes, a lien not yet payable.
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Enterprise Irrigation District.
3. Easement, including the terms and provisions thereof:  
 For: 10 feet over the NE 1/4 of said Section 13, for power and telephone lines  
 Granted to: The California Oregon Power Company, a California Corporation  
 Recorded: March 18, 1932  
 Book: 97  
 Page: 155
4. Easement, including the terms and provisions thereof:  
 For: Two anchors and guys, including rights of ingress and egress on the SE 1/4 NE 1/4 NE 1/4 of said Section 13.  
 Granted to: The California Oregon Power Company, a California Corporation  
 Recorded: February 20, 1956  
 Book: 281  
 Page: 132
5. Agreement, including the terms and provisions thereof:  
 Regarding: Well use  
 Between: Oregon Water Corporation  
 And: Henley Land Company, a Corporation  
 Recorded: May 2, 1974  
 Book: M-74  
 Page: 5514
6. Easement, including the terms and provisions thereof:  
 For: Underground Communications  
 Granted to: Pacific Northwest Bell Telephone  
 Recorded: May 23, 1974  
 Book: M-74  
 Page: 6422

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co  
 of Oct. 1993 at 10:37 o'clock A M., and duly recorded in Vol. M93 day  
Deeds on Page 26541  
 By Evelyn Biehn, County Clerk  
Douglas Mullendore

FEE \$40.00