

70038

10-20-93P03:04 RCVD



WARRANTY DEED

Vol. 93 Page 27510

AFTER RECORDING RETURN TO:
 RICHARD A. WAIBEL
 RICHARD F. MORANDA
 P.O. Box 544
 Merrill, OR 97633

UNTIL A CHANGE IS REQUESTED ALL TAX
 STATEMENTS TO THE FOLLOWING ADDRESS:
 SAME AS ABOVE

ALLEN B. CARTER and MARGUERITE J. CARTER, husband and wife,
 hereinafter called GRANTOR(S), convey(s) to RICHARD A. WAIBEL
 and RICHARD F. MORANDA, each as to an undivided one-half
 interest, hereinafter called GRANTEE(S), all that real property
 situated in the County of KLAMATH, State of Oregon, described
 as:

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND BY
 THIS REFERENCE MADE A PART HEREOF AS THOUGH FULLY SET FORTH
 HEREIN...

"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."

and covenant(s) that grantor is the owner of the above described
 property free of all encumbrances except 1) Regulations,
 including levies, liens and utility assessments of the City of
 Merrill. 2) City liens, if any, of the City of Merrill. We
 have not requested a search. 3) Rights of the public in and to
 any portion of the herein described premises lying within the
 boundaries of roads or highways. 4) Right, title or interest of
 the public in and to any portion of the herein described
 premises lying within the boundaries of roads or highways. 5)
 Right, title or interest of the public, including governmental
 bodies in and to that portion of said premises lying below the
 ordinary high water line of Lost River and public rights of
 fishing and recreation in and to the shoreline of said river.
 6) All matters arising from any shifting in the course of Lost
 River, including but not limited to accretion, reliction and
 avulsion.

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
 \$25,000.00.

In construing this deed and where the context so requires, the
 singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument
 this 30th day of October 1990.

Allen B. Carter
 ALLEN B. CARTER

Marguerite J. Carter
 MARGUERITE J. CARTER

STATE OF OREGON, County of Klamath)ss.

October 31, 1990

Personally appeared the above named ALLEN B. CARTER and
 MARGUERITE J. CARTER and acknowledged the foregoing instrument
 to be their voluntary act and deed.

Before me: Charlotte Flores
 Notary Public for Oregon
 My Commission Expires: September 24, 1993

PARCEL 1:

A portion of Lot 2, Section 12, Township 41 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Commencing at a point which lies East along the Section line a distance of 627 feet and South a distance of 40 feet from the monument which marks the section corner common to Sections 1, 2, 11 and 12 of Township 41 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon; and extending thence East and parallel to the North line of said Section 12 and 40 feet Southerly at right angles therefrom, a distance of 157 feet; thence South to the North bank of Lost River; thence Westerly, following the North bank of Lost River, to a point which lies South of the point of beginning; thence North to the point of beginning.

EXCEPTING THEREFROM the Westerly 26 feet previously conveyed by Deed recorded April 5, 1990 in Book M-90 at Page 6238.

PARCEL 2:

A portion of Lot 2, Section 12, Township 41 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point 784 feet more or less East of the West line of Section 12 aforesaid and on the South line of Front Street also known as the State Highway in the City of Merrill, Oregon; said point of beginning being 3 feet East of the East line of the building now erected West of the tract herein conveyed; thence from said point of beginning East along said line of Highway 25 feet to a point; thence South at right angles to the Highway to Lost River; thence upstream along the line of Lost River to a point due South of the point of beginning; thence North on a line at right angles to said Highway line to the point of beginning, having a frontage of 25 feet on said Highway.

CODE 14 MAP 4110-1288 TL 600
CODE 14 MAP 4110-1288 TL 700

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co the 20th day
of Oct. A.D., 19 93 at 3:04 o'clock P M., and duly recorded in Vol. M93
of Deeds on Page 27510.

FEE \$35.00

Evelyn Biehn - County Clerk

By D. Andrew Mendenhall