

74350

**\* \* WARRANTY DEED \***  
(OREGON STATUTORY FORM)

WE, EDWARD W. ST. JOHN and MERCEDES E. ST. JOHN, husband and wife (Grantors), do grant, release, convey and warrant to EDWARD W. ST. JOHN and MERCEDES E. ST. JOHN, TRUSTEES of the ST. JOHN FAMILY TRUST, u.a.d. DECEMBER 28, 1993 (Grantees), the following described real property situated in KLAMATH COUNTY in the State of OREGON, to-wit:

**PARCEL I:**

LOT Twenty-five (25) in Block Seven (7), TRACT NO. 1019, WINEMA PENINSULA NO. 2 according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

CONTINUED ON EXHIBIT "A" ATTACHED HERETO AND BY  
THIS REFERENCE MADE A PART HEREOF.

The said properties are free from encumbrances except: Covenants, conditions, restrictions, liens and easements of record.

The true CONSIDERATION for this conveyance is NONE. The Transfer is to Inter Vivos Trust of EDWARD W. ST. JOHN and MERCEDES E. ST. JOHN.

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 USES.

DATED this 28th day of DECEMBER, 1993.

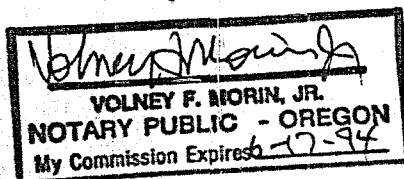
*Edward W. St. John*  
EDWARD W. ST. JOHN

*Mercedes E. St. John*  
MERCEDES E. ST. JOHN

STATE OF OREGON )  
County of KLAMATH ) ss.  
)

On this 28th day of DECEMBER, 1993, personally appeared the above named EDWARD W. ST. JOHN and MERCEDES E. ST. JOHN, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:



MAIL RECORDED DEED and, until a change is requested, all TAX STATEMENTS to:

MR. & MRS. EDWARD W. ST. JOHN  
36951 SO. CHILOQUIN ROAD  
CHILOQUIN, OR 97624

WARRANTY DEED - PAGE 1

(NOTARY SEAL)

## EXHIBIT "A"

## - PARCEL II:

A parcel of land situated in Government Lots 31 and 36 of Section 4 and Government Lots 2 and 7 of Section 9, all in Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point on the Section Line common to said Sections 4 and 9 from which the  $\frac{1}{4}$  corner common to said Sections 4 and 9 bears South  $89^{\circ}38'24''$  West a distance of 280.00 feet; thence from said point of beginning South  $949.17$  feet; thence East  $502.11$  feet to a point on the Westerly right of way line of U.S. Highway No. 97; thence North  $04^{\circ}02'34''$  East along said Westerly right of way line  $2273$  feet, more or less, to a point on the North line of said Government Lot 31; thence West along said North line of Government Lot 31,  $187$  feet, more or less, to the Easterly right of way line of the South Chiloquin State Highway; thence Southerly and Westerly along said Easterly and Southerly right of way line of said South Chiloquin State Highway to a point that is North of the point of beginning; thence South  $412$  feet to the point of beginning.

Subject, however, to the following:

1. Reservations of all subsurface rights, except water, for the heirs of Esther Stokes as disclosed by deed, dated September 19, 1957, recorded September 26, 1957 in Volume 294 at page 481, between the United States of America and Leroy Gienger and Elvine Gienger. (Portions of Lots 2 and 7, Section 9)
2. The right of way to Pacific Telephone and Telegraph Company as disclosed by deed, dated September 19, 1957, recorded September 26, 1957 in Volume 294 at page 481, between the United States of America and Leroy Gienger and Elvine Gienger. (Portions of Lots 2 and 7, Section 9).
3. Terms and provisions as set forth in Land Status Report recorded March 3, 1959, in Deed Volume 310 at page 239, Records of Klamath County, Oregon. (Portions of Lots 31 and 36, Section 4).
4. Reservations, including the terms and provisions thereof, as set forth in deed from the United States of America to John Cole, et al, recorded August 25, 1961, in Deed Volume 329 at page 115, Records of Klamath County, Oregon. (portions of Lots 31 and 36, Section 4)
5. Reservations, including the terms and provisions thereof, as set forth in deed from the United States of America to John Cole, et al, recorded April 25, 1961, in Deed Volume 329 at page 113, Records of Klamath County, Oregon. (portions of Lots 31 and 36, Section 4).
6. Rights of the public in and to that portion of the above property lying within the limits of roads and highways. (Portions of Lots 31 and 36, Section 4).
7. Reservation of 50% of minerals, gas and oil as disclosed by deed from Amy Jackson to Carl Dawson, dated November 17, 1958, recorded November 25, 1948, in Volume 306 at page 720. (Portions of Lot 26, Section 4).
8. An easement created by instrument, including the terms and provisions thereof,  
 Dated : May 22, 1968  
 Recorded : June 28, 1968 Book: M-68 Page : 5968  
 In Favor of : Pacific Power & Light Company  
 NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 4, Township 35 South, Range 7 (No exact location given).
9. As disclosed by the assessment and tax roll, the premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.

## - PARCEL III:

A parcel of land situated in Government Lot 36, T35S R7E Section 4, more particularly described as follows:

Beginning at a  $\frac{5}{8}$ " iron pin marking the South one-quarter corner of said Section 4, thence N $89^{\circ}38'24''$ E along the South line of said Section 4,  $280.00$  feet to a  $\frac{5}{8}$ " iron pin, thence North  $412.17$  feet to a  $\frac{5}{8}$ " iron pin on the Southerly right of way line of The South Chiloquin State Highway #421, thence S $84^{\circ}04'09''$ W along said Southerly right of way  $281.44$  feet to a  $\frac{5}{8}$ " iron pin, thence S $00^{\circ}00'30''$ W  $384.85$  feet to the point of beginning containing  $2.56$  acres more or less.

Subject to an easement 60 feet in width, measured at right angles, for purposes of ingress and egress more particularly described as follows:

The Westerly 60 feet of the described property.

(Continued...)

## EXHIBIT "A" (Continued...)

- PARCEL IV:

A parcel of land situated in Government Lot 2 T35S R7E, Section 9, more particularly described as follows:

Beginning at the Northwest corner of said Government Lot 2, said point of beginning also being the North one-quarter corner of said Section 9, thence N89°38'24"E along the North line of said Section 9 280.00 feet, thence South 311.14 feet, thence S89°38'24"W 280.05 feet more or less to the West line of said Government Lot 2, thence N00°00'30"E along the West line of said Government Lot 2 311.14 feet to the point of beginning, containing 2.00 acres more or less.

Subject to an easement 60 feet in width, measured at right angles, for purposes of ingress and egress more particularly described as follows: The Westerly 60 feet of the above described property.

- PARCEL V:

All of Lot 35 lying South of the South Chiloquin State Highway, located in Section 4, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

SUBJECT TO: 1) Rights of the public in and to any portion of the herein described premises lying within the boundaries of roads or highways. 2) Subject to rules and regulations of Fire Patrol District. 3) Regulations, including levies, assessments water and irrigation rights and easements for ditches and canals, of Modoc Point Irrigation District. 4) Terms and provisions as set forth in Land Status Report recorded 3-3-59 in Book 310 at page 239, Deed Records, Klamath County, Oregon, as disclosed by Deed Recorded in Book 335 at page 334, Deed Records, Klamath County, OR. 5) Reservations, including the terms and provisions thereof, as set forth in Deed recorded 4-25-61 in Book 329 at page 113, Deed Records of Klamath County, Oregon. 6) Easements, including the terms and provisions thereof, recorded 8-8-86, in Book M-86 at page 14044, Klamath County Records.

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FOR RECORDER'S USE

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Volney F. Morin Jr the 12th day  
of Jan A.D., 19 94 at 10:34 o'clock A M., and duly recorded in Vol. M94  
of Dends on Page 1150

FEE \$40.00

Evelyn Biehn, County Clerk

By Pauline Mullenbore