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07-31-2003

ACVD

STATE OF OREGON

Volume 24

Page 9546

WHEN RECORDED MAIL TO

RALPH C. & SHERRY ANN CLARK
8970 Westgate
McKinnon Hills, CA 95245

Download this
form, reserved
for recording
label in your
file folder
only.

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 _____ on page _____ or as
filing fee number _____, Rec-
ord of Deeds of said County.

Witness my hand and seal of County
affixed.

MAIL TAX STATEMENTS TO:

RALPH C. & SHERRY ANN CLARK
8970 Westgate
McKinnon Hills, CA 95245

K-46434

By _____ Title
Deputy

WARRANTY DEED

J. ANTHONY GIACOMINI, a married man dealing with his individual property, GRANTOR, conveys and warrants to RALPH C. CLARK and SHERRY ANN CLARK, husband and wife, tenants by the entirety, GRANTEE, the following described real property situate in Klamath County, Oregon, free of encumbrances except as specifically set forth below:

That portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 41 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, lying Southerly of the Burlington Northern Railroad and excepting therefrom that portion contained in the rights of way of Dodd's Hollow Road and State Highway No. 39, Also excepting from said SW $\frac{1}{4}$ SW $\frac{1}{4}$ the following described property:

Beginning at the Southwest corner of said Section 5, being the intersection of State Highway No. 39 and Malone Road and marked by 5/8" Iron pin with a Tri-line Surveying plastic cap in monument case; thence N. 89°46'00" E., along the South line of said Section 5, 241.25 feet; thence North 30.00 feet, more or less, to the Northerly right of way line of said highway; thence continuing North 910 feet, more or less, to the Southerly right of way line of the Burlington Northern Railroad; thence Westerly along said railroad right of way line, 239 feet, more or less, to a point on the West line of said Section 5; thence S. 00°08'07" W. 941.37 feet to the point of beginning, including the area within said Malone Road and State Highway No. 39.

TOGETHER WITH an easement for ditches reserved in Deed, recorded November 25, 1992, in Volume 4-92 page 27958, Deed Records of Klamath County, Oregon.

SUBJECT TO: Reservations and restrictions of record, rights of way and easements of record and those apparent upon the land, including, without limiting the generality of the foregoing, easement for an existing irrigation ditch located Easterly of the Westerly quarter-section line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and running in a Southerly direction from the USBR "D" Canal to the NE $\frac{1}{4}$ of Section 8, Township 41, South, Range 11, EWM; contracts and/or liens for irrigation and/or drainage; terms and conditions of special assessment as farm use and the right of Klamath County, Oregon, to additional taxes, plus interest, in the event said use should be changed, which obligations GRANTEE assumes and agrees to pay and perform.

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.

0347

The true and actual consideration paid for this transfer, stated in terms of dollars is \$220,000.00.

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

DATED: March 25, 1994.

J. Anthony Giacomini
J. Anthony Giacomini

STATE OF OREGON)

COUNTY OF KLAMATH) ss.

On March 25, 1994, personally appeared the above named J. ANTHONY GIACOMINI and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me,

Eda Gilbert
Notary Public for Oregon

My commission expires: 6-7-97



STATE OF OREGON, COUNTY OF KLAMATH ss.

Filed for record at request of Klamath County Title Co the 31st day
of March A.D. 1994 at 3:37 o'clock P.M. and duly recorded in Vol. NO. 1
of Deeds on Page 9546

FEES \$35.00

Joel Lynn Blahn County Clerk

BY *Joel Lynn Blahn*