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BARGAIN AND SALE DEED

Vol 2794

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KNOW ALL MEN BY THESE PRESENTS, That JOHN T. BOWERS and DARLENE M. BOWERS, husband and wife

for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto BOWERS EXCAVATING & FENCING, INC., an Oregon Corporation hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

(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.

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

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 day of 19, if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

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 TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

STATE OF OREGON, County of Klamath ss.

by Rebecca Lynn Claybaugh July 19 1979

This instrument was acknowledged before me on July 19 1979

by as of



OFFICIAL SEAL
REBECCA LYNN CLAYBAUGH
NOTARY PUBLIC - OREGON
COMMISSION NO. 031670
MY COMMISSION EXPIRES FEB 06, 1998

Rebecca Lynn Claybaugh
Notary Public for Oregon
My commission expires 2-6-98

Grantor's Name and Address

Grantee's Name and Address

After recording return to (Name, Address, Zip):

Aspen Title

Until requested otherwise send all tax statements to (Name, Address, Zip):

SPACE RESERVED
FOR
RECORDER'S USE

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:

The Westerly half of the following parcels of land:

Beginning at the Southwest corner of premises described in deed from H. M. Mallory and Christine Mallory, husband and wife to Fremont Glass & Millwork Co., recorded April 14, 1969 in Book M-69 at Page 2675, Microfilm Records of Klamath County, Oregon; thence South along the East line of Washburn Way 40 feet to the true point of beginning; thence continuing South along the East line of Washburn Way 200 feet to a point; thence East parallel to the South line of said Fremont Glass & Millwork Co. Tract to a point on the East line of Lot 3, Block 4, THIRD ADDITION TO ALTAMONT ACRES, which is South 94.55 feet from the Northeast corner of said lot; thence North along the East line of Lot 2, Block 4 to a point, 40 feet South of said Northeast corner of Lot 2, Block 4, said subdivision; thence West parallel to the South line of said Fremont Glass & Millwork Co. Tract to the true point of beginning.

A portion of SW 1/4 NW 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon: Beginning at the Southwest corner of premises described in Deed from H. M. Mallory and Christine Mallory to Fremont Glass and Millwork Co., recorded April 14, 1969 in Book M-69 at Page 2675, Microfilm Records of Klamath County, Oregon; thence South 00 degrees 02' 15" East, along the East right of way line of Washburn Way, 40.00 feet to the true point of beginning; thence continuing South 00 degrees 02' 15" East along said East right of way line, 71.11 feet; thence South 89 degrees 30' East parallel to and 111.11 feet distant from the Southerly line of the premises described in said Deed from H. M. Mallory and Christine Mallory to Fremont Glass and Millwork Company, to a point on the West line of Lot 2, Block 4, THIRD ADDITION TO ALTAMONT ACRES, in the County of Klamath, State of Oregon, which is South 00 degrees 07' East, 111.11 feet, from the Northwest corner of said Lot 2; thence North 00 degrees 07' West along the Westerly line of said Lot 2, 71.11 feet to a point on the West line of said Lot 2, said point being South 00 degrees 07' East 40.00 feet from the Northwest corner of said Lot 2; thence North 89 degrees 30' West, parallel to and 40.00 feet distant from said Southerly line of said Fremont Glass and Millwork Tract to the point of beginning.

ALSO the following described real property in the County of Klamath, State of Oregon:

Beginning at the Southwest corner of premises described in Deed from H. M. Mallory and Christine Mallory, husband and wife, to Fremont Glass & Millwork Co., recorded April 14, 1969 in Book M-69 at Page 2675, Microfilm Records of Klamath County; thence South along the East line of Washburn Way 111 feet to the true point of beginning; thence continuing South along the East line of Washburn Way 15 feet to a point; thence East parallel to the South line of said Fremont Glass & Millwork Co. Tract to a point on the East line of Lot 2, Block 4, THIRD ADDITION TO ALTAMONT ACRES which is South 126.11 feet from the Northeast corner of said Lot; thence North along the East line of said Lot 2, Block 4, 111 feet South of said Northeast corner of Lot 2, Block 4, said subdivision; thence West parallel to the South line of said Fremont Glass & Millwork Co. Tract to the true point of beginning.

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PARCEL 2:

Tracts 5 and 6, ALTAMONT SMALL FARMS, in the County of Klamath, State of Oregon. LESS AND EXCEPT that portion deeded to Klamath County in Book M-91 at Page 23158, Microfilm Records of Klamath County, Oregon.

PARCEL 3:

Parcel 3 of Land Partition 10-92, being a portion of Lot 71, FAIR ACRES SUBDIVISION NO. 1, in the County of Klamath, State of Oregon, being in the NE 1/4 of the SE 1/4 of Section 35, Township 38 South, Range 9 East of the Willamette Meridian.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co the 20th day
of July A.D., 19 94 at 3:33 o'clock P M., and duly recorded in Vol. M94
of Deeds on Page 22270

FEE \$40.00

Evelyn Biehn County Clerk

By Pauline Mullendore