

90364

QUITCLAIM DEED

Vol 94 Page 33585

KNOW ALL MEN BY THESE PRESENTS, That

VINCENT O. CHEYNE

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto JAMES C. CHEYNE and LORETTA M. CHEYNE, husband and wife hereinafter called grantee, and unto grantor's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

That certain Easement dated July 8, 1988, and recorded July 15, 1988 in Volume M88, Page 11033, records of Klamath County, Oregon, relating to the grant by grantee to grantor of (i) a non-exclusive easement for ingress and egress over and across the property described in Exhibit "A" and the purpose of access to and maintenance of a well and related facilities, and (ii) the right to all water from a well located on the property described in Exhibit "A" for the use of the property described in Exhibit "B". The purpose of this Quitclaim Deed is to terminate the above-described Easement in its entirety and to remove any reference to the aforementioned Easement from the records of Klamath County, Oregon. This Quitclaim Deed shall not operate as a transfer of and shall not otherwise effect any equipment, fixtures or other personal property which, on the date hereof, are located on the property described in Exhibit "A".

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (If the sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 28 day of Oct, 1994; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized thereto 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 30.330.

Vincent O. Cheyne

STATE OF OREGON, County of Klamath ) ss.

This instrument was acknowledged before me on 19 94, by VINCENT O. CHEYNE

This instrument was acknowledged before me on October 28, 1994

by Danette Unger  
as Notary Public  
of Klamath County, Oregon



Danette Unger  
Notary Public for Oregon  
My commission expires 01-30-98

VINCENT O. CHEYNE

Grantor's Name and Address  
JAMES C. CHEYNE & LORETTA M. (CHEYNE  
P.O. BOX 49  
MALIN, OREGON 97632

Grantee's Name and Address  
After recording return to (Name, Address, Zip):  
JAMES C. CHEYNE & LORETTA M. (CHEYNE  
P.O. BOX 49  
MALIN, OREGON 97632

Until now stated otherwise send all tax statements to (Name, Address, Zip):  
NO CHANGE

IF SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, } ss.  
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 and/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

4000  
100

EXHIBIT "A"

A tract of land situated in Farm Unit "C" and Government Lot 6 being in the SE $\frac{1}{4}$  of Section 16, Township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the East corner of said Section 16; thence South 00°14' West 1150.00 feet to the intersection of Broadway and Rosicky Avenue; thence North 89°46' West along the centerline of said Rosicky Avenue and its extension, 2037.16 feet to a point marking the true point of beginning; thence South 00°14' West 216 feet, more or less, to the Northerly right of way line of Depot Road; thence South 71°23'40" West along said right of way line 588 feet, more or less, to the West line of the SE $\frac{1}{4}$  of said Section 16; thence Northerly along the West line of the said SE $\frac{1}{4}$  406 feet, more or less, to a point which bears North 89°46' West from the true point of beginning; thence South 89°46' East 587 feet, more or less to the true point of beginning.

EXHIBIT "B"

We have searched our Tract Indices as to the following described property:

That portion of the S $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 16, Township 41 South, Range 12 East of the Willamette Meridian, described as follows:

Beginning at the intersection of the Northeasterly line of the Great Northern Railroad right of way, 300 feet wide, as described in Deed recorded in Volume 96, page 109, of Deed Records of Klamath County, Oregon, with the Northwesterly line of the Depot Road, 80 feet wide, as described in deed recorded in Volume 96, page 173 of Deed Records of said County; thence North 71°45' East along said Depot road a distance of 263.29 feet to the true point of beginning of this description; thence North 165.23 feet; thence West 549.60 feet to the Northeasterly line of said Railroad right of way; thence following the boundary line of said Railroad right of way to its intersection with the North line of the South half of the Southwest Quarter of Section 16, thence East along said North line to the Northeast corner of the Southeast quarter of the Southwest quarter; thence South along the East line of said Southeast Quarter of the Southwest Quarter, 277.90 feet, more or less to the intersection with the Northwesterly line of the Depot Road; thence Southwesterly along the Northwesterly line of the Depot Road to the point of beginning. EXCEPTING therefrom an additional portion conveyed to the Great Northern Railway by Deed recorded in Volume 105 page 209, records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH ss.

Filed for record at request of Loretta M. Cheyne the 28th day  
of Oct A.D., 19 94 at 3:00 o'clock P.M., and duly recorded in Vol. M94  
of \_\_\_\_\_ of \_\_\_\_\_ made \_\_\_\_\_ on Page 33585

FEE \$40.00

Evelyn Biehn County Clerk

By Dorothy M. Henderson