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927729 12-21-94P02:27 RCVD

WARRANTY DEED

Vol. 94 Page 38444

KNOW ALL MEN BY THESE PRESENTS, That CHARLES R. STROHKIRCH &

SANDRA M. STROHKIRCH

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by ****

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in KLAMATH County, State of Oregon, described as follows,

to-wit:

**** CHARLES STROHKIRCH AND SANDRA STROHKIRCH, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE STROHKIRCH LOVING® TRUST DATED DECEMBER 14, 1994, AND ANY AMENDMENTS THERETO.

SEE ATTACHED EXHIBIT "A"

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under any policy of title insurance issued to the Grantor at the time Grantor acquired the property. The limitations contained herein expressly do not relieve Grantor of any liability or obligation under this instrument, but merely define the scope, nature and amount of such liability or obligations.

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

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -0-

⑦However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) - (The sentence between the brackets, 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 14th day of December, 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 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.

This instrument was acknowledged before me on DECEMBER 14, 1994,
by CHARLES R. STROHKIRCH & SANDRA M. STROHKIRCH

This instrument was acknowledged before me on _____, 19____,
by _____
as _____
of _____



OFFICIAL SEAL
JAMES H. SMITH
NOTARY PUBLIC - OREGON
COMMISSION NO. 010393
MY COMMISSION EXPIRES OCT 31, 1995

JAMES H. SMITH

Notary Public for Oregon

My commission expires 10/31/95

CHARLES R. STROHKIRCH & SANDRA M. STROHKIRCH
3373 CROSS ROAD
KLAMATH FALLS, OR 97603

CHARLES R. STROHKIRCH & SANDRA M. STROHKIRCH, Trustees
STROHKIRCH LOVING TRUST DATED 12/14/94

3373 CROSS ROAD
KLAMATH FALLS, OR 97603

Grantee's Name and Address

After recording return to (Name, Address, Zip):
JAMES H. SMITH, ESQ.
711 BENNETT AVENUE
MEDFORD, OR 97504

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

CHARLES STROHKIRCH & SANDRA M. STROHKIRCH
3373 CROSS ROAD
KLAMATH FALLS, OR 97603

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 _____ 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.

EXHIBIT "A"

38445

A portion of Section 3, Township 40 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Starting at the section corner common to Sections 3, 4, 9 and 10, Township 40 South, Range 9 East of the Willamette Meridian; thence North 89° 50' 30" East, a distance of 1314.24 feet to the point of beginning; thence South 89° 50' 30" West a distance of 49.10 feet; thence North 1° 02' 30" East a distance of 1071.98 feet; thence North 89° 55' 30" East a distance of 661.30 feet to a point on the East line of the NW1/4SE1/4SW1/4; thence South 0° 11' 30" East a distance of 392.29 feet to the Southeast corner of the NW1/4SE1/4SW1/4; thence South 89° 50' 30" West along the South line of NW1/4SE1/4SW1/4 a distance of 649.24 feet, more or less to a 5/8" iron pin; thence South 1° 02' 30" West a distance of 678.69 feet, more or less, to the point of beginning. All measurements are based on Survey Map #1430 filed in the office of the County Engineer on January 5, 1970.

The S1/2SE1/4SW1/4 and NE1/4SE1/4SW1/4 of Section 3, Township 40 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

SAVING AND EXCEPTING the following:

Starting from the section corner common to Sections 3, 4, 9 and 10, Township 40 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence North 89° 50' 30" East a distance of 2610.84 feet; thence North 0° 11' 30" West a distance of 1069.73 feet to the point of beginning; thence North 0° 11' 30" West a distance of 267.44 feet; thence South 89° 57' 30" West a distance of 661.30 feet; thence South 0° 11' 30" East a distance of 267.71 feet; thence North 89° 55' 30" East a distance of 661.30 feet, more or less, to the point of beginning. All measurements are based on Survey Map #1430 filed in the office of the County Engineer on January 5, 1970.

EXCEPTING THEREFROM any portion of the above described property which may lie within the boundaries of the right of way of the Oregon State Highway #432.

SUBJECT TO:

1. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District.
2. 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.
3. The rights of the public in and to that portion of the above property lying within the limits of roads and highways.
4. Reservations and conditions, reserving all oil and gas, the right to prospect for, mine and remove the same, right of way for access road, conditions as to area ownership, including the terms and provisions thereof, set forth in Patent recorded July 10, 1963 in Deed Volume 346 at page 437, Records of Klamath County, Oregon.
5. Agreement, including the terms and provisions thereof, between Elizabeth Stewart, Leland L. Cheyne and Bonita Cheyne, husband and wife, William Cheyne, Wilbur E. Harnsberger and Irma C. Harnsberger, husband and wife, recorded February 5, 1959 in Volume 309 at page 407, Deed Records of Klamath County, Oregon.
6. Contract for Project Water Service and payments of charges, including the terms and provisions thereof, between the United States of America and Otto Henry Schaffner, dated September 26, 1966, recorded October 4, 1966 in Volume M-66 at page 9753, Microfilm Records.
7. At easement dated May 17, 1967 and recorded May 25, 1967 in Book M-67 at Page 3911 in favor of Pacific Power and Light Company for Transmission lines.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of James H. Smith the 21st day of Dec A.D. 19 94 at 2:27 o'clock P.M., and duly recorded in Vol. M94 of Deeds on Page 38444
 Evelyn Biehn County Clerk
 By Pauline M. Mendenhall

FEE \$35.00