

12-28-94A11:21 RCVD

WARRANTY DEED

Vol 1794 Page 38978

32962

KNOW ALL MEN BY THESE PRESENTS, That HARVEY E. WISE and VIVIAN WISE, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DONALD L. PHILLIPS and CAROL A. PHILLIPS, the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

All of that portion of the SW 1/4 SF 1/4 of Section 5, Township 40 South, Range 10 East of the Willamette Meridian, lying East of "G" Canal, EXCEPTING THEREFROM that portion lying within the limits of Hill Road, SUBJECT TO:

1. The assessment roll and the tax roll disclosed that the within-described premises were specially assessed as farm land; if the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five or lesser number of years in which the land was subject to the special land use assessment;
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Irrigation District;
3. Rights of the public in and to any portion of said premises lying within the limits of roads and highways;
4. Agreement for irrigation water between Harvey E. Wise and Vivian Wise

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said 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

grantor will warrant and forever defend the said 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 \$ 65,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole or 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 10th day of July, 1974; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

Harvey E. Wise
Vivian Wise

STATE OF OREGON,

County of Klamath

July 10, 1974

Personally appeared the above named Harvey E. Wise and Vivian Wise

and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon
My commission expires 8/24/75

Harvey E. Wise and Vivian Wise

GRANTOR'S NAME AND ADDRESS
Donald L. Phillips and Carol A. Phillips

GRANTEE'S NAME AND ADDRESS

After recording return to:
Mr. and Mrs. Donald L. Phillips
Route 2, Box 673
Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address
Same

NAME, ADDRESS, ZIP

STATE OF OREGON, County of

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ss.

Personally appeared

and each of himself and not one for the other, did say that the former is the president and that the latter is the secretary of

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

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 on page or as file/rel number Record of Deeds of said county. Witness my hand and seal of County affixed.

By Recording Officer
Deputy

and United States of America dated April 20, 1940, recorded May 13, 1940, in Volume 129 at page 218, Deed Records.

STATE OF OREGON: COUNTY OF KLAMATH: ss

Filed for record at request of Mourta Title Co the 28th day
of Dec A.D. 1940 at 11:21 o'clock A.M., and duly recorded in Vol. M94
of Deeds on Page 38978.

Evelyn Biehn - County Clerk

FEE \$35.00

By W. A. Miller Miller & Miller