

NA **99172** **MTC3490mk** BARGAIN AND SALE DEED Vol. **m95** Page **10380**

KNOW ALL MEN BY THESE PRESENTS, That ERIC B. NEWELL THE GRANTOR, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto ESTATE OF CHARLES WILLIAM BIAGGI, as to an undivided 2/3 interest and MATTHEW C. BIAGGI AND KIMBERLY**, 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:

**A. BIAGGI, HUSBAND AND WIFE, as to an undivided 1/3 interest.

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF AS THOUGH FULLY SET FORTH HEREIN.....

(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 21st day of April, 1995; 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.

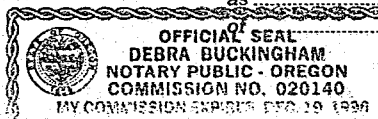
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Eric B. Newell
ERIC B. NEWELL

STATE OF OREGON, County of Klamath) ss.
This instrument was acknowledged before me on 4.23, 1995,
by Eric B. Newell

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

as _____



Debora Buckingham
Notary Public for Oregon
My commission expires 12-19-96

| |
|--|
| Grantor's Name and Address |
| Grantee's Name and Address |
| After recording return to (Name, Address, Zip): <u>Estate of Charles William Biaggi</u> <u>17000 W. Langell Valley Rd.</u> <u>Bonanza, Oregon 97623</u> |
| Until requested otherwise send all tax statements to (Name, Address, Zip): |

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 _____ or as fee/tile/instrument/microfilm/reception No. _____, Record of Deeds of said County.
Witness my hand and seal of County affixed.

NAME _____ TITLE _____
By _____ Deputy

04-28-95A11:30 RCVD

PARCEL 1:

Township 40 South, Range 13 East of the Willamette Meridian, in the County of Klamath, State of Oregon:

Section 23: SE 1/4

Section 26: E 1/2 NW 1/4, N 1/2 SW 1/4, NE 1/4, N 1/2 SE 1/4 and portion of the W 1/2 NW 1/4 described as follows:

Beginning at a point 1020 feet East of the corner common to Sections 22, 23, 26 and 27, all in Township 40 South, Range 13 East of the Willamette Meridian; thence Southerly and Easterly 1500 feet, more or less, to a point where said course intersects the East line of the SW 1/4 NW 1/4 of Section 26; thence North along said subdivision line to the Northeast corner of the NW 1/4 NW 1/4 of said Section 26; thence West 300 feet to the point of beginning.

PARCEL 2:

Township 40 South, Range 13 East of the Willamette Meridian, in the County of Klamath, State of Oregon:

Section 25: NW 1/4, W 1/2 NE 1/4, and all that portion of the E 1/2 NE 1/4 lying Westerly of the Lost River Diversion Channel

EXCEPTING THEREFROM that portion lying within the main drain as conveyed to the United States of America by Deed recorded October 23, 1927 in Volume 79 at Page 131, and by Deed recorded January 22, 1929 in Volume 85 at Page 186, Deed Records of Klamath County, Oregon.

TOGETHER WITH: The following perpetual easements, to run with the land, for the construction, repair, maintenance and joint use of irrigation ditches for irrigation purposes:

(a) An easement 30 feet wide extending East from Langell Valley West Side Irrigation Canal along the North side of the South section line of Sections 23 and 24 of Township 40 South, Range 13 East of the Willamette Meridian, a distance of 6400 feet, more or less, to Lost River Diversion Channel.

(b) An easement 30 feet wide extending East from Langell Valley West Side Irrigation Canal along the South line of the N 1/2 N 1/2 of Section 26, Township 40 South, Range 13 East of the Willamette Meridian, a distance of 1790 feet, more or less, to the West side of the herein described property.

(c) An easement 30 feet wide extending East from Langell Valley West Side Irrigation Canal along the North side of the East-West center line of Section 26, Township 40 south, Range 13 East of the Willamette Meridian, a distance of 1525 feet, more or less, to the Southwest corner of the herein described property.

PARCEL 3:

Lots 1 and 2, Block 26, SECOND ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 28th day of April A.D., 19 95 at 11:30 o'clock A M., and duly recorded in Vol. M95 of Deeds on Page 10980.

FEE \$35.00

Bernetha G. Letsch, County Clerk

By Dorlene M. Mendenhall