

1-1-74

5009

## WARRANTY DEED

Vol. 1195 Page 22690

KNOW ALL MEN BY THESE PRESENTS, That

MARJORIE BRISSENDEN

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by in Common  
 THOMAS P. BRISSENDEN and DANIEL E. BRISSENDEN, /as Tenants/ hereinafter called  
 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 ap-  
 pertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

Exhibit "A" attached hereto

SUBJECT TO reservations and restrictions of record, easements and  
 rights of way of record and those apparent on the land, contracts  
 and/or liens for irrigation and/or drainage.

(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.

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

except as above set forth

and that

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 \$5,845.52

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 92.030.)

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 31st day of January, 1980;  
 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)

STATE OF ~~OREGON~~ IDAHO )  
 County of Bannock ) ss.  
January 31, 19 80

Personally appeared the above named  
 MARJORIE BRISSENDEN

and acknowledged the foregoing instru-  
 ment to be her voluntary act and deed.

Before me:  
 (OFFICIAL SEAL) Tom Nelson  
 Notary Public for Idaho  
 My commission expires: 11-4-81

STATE OF ~~OREGON~~ Idaho, County of Custer ) ss.  
2-6, 19 80

Personally appeared TOM BRISSENDEN and  
 who, being duly sworn,  
 each for himself and not one for the other, did say that the former is the  
GRANTEE president and that the latter is the  
 secretary of

a corporation,  
 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 be-  
 half of said corporation by authority of its board of directors; and each of  
 them acknowledged said instrument to be its voluntary act and deed.

Before me:  
Rae Niece (OFFICIAL SEAL)  
 Notary Public for Idaho  
 My commission expires: 9-2-82

MARJORIE BRISSENDEN

GRANTOR'S NAME AND ADDRESS

THOMAS P. BRISSENDEN and  
 DANIEL E. BRISSENDEN,  
 Tenants in Common

GRANTEE'S NAME AND ADDRESS

After recording return to:

Grantees above named

c/o 280 MAIN

97601

NAME, ADDRESS, ZIP

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

Grantees above named

1130 W. Allumbaugh Street, #258  
 Boise Idaho 83706

STATE OF OREGON,

County of

I certify that the within instru-  
 ment was received for record on the  
 day of , 19  
 at o'clock M., and recorded in  
 book/ree/volume No. on  
 page or as document, fee file  
 instrument/microfilm No.  
 Record of Deeds of said county.

Witness my hand and seal of  
 County affixed.

NAME

TITLE

By

Deputy

## EXHIBIT "A"

Parcel 2. A parcel of land situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 39 South, Range 10, E.W.M., said parcel being a portion of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying Southerly of the centerline of the U.S.R.S. No. 17 Drain, Northerly of the Lost River Diversion Canal and Easterly of the U.S.R.S. C-G Canal and further described as follows:

Beginning at a point on the centerline of the U.S.R.S. No. 17 Drain which bears N. 73°34' E. a distance of 300.0 feet from the Northeasterly right-of-way line of the C-G Canal; thence continuing N. 73°34' E. along said centerline a distance of 230 feet; thence S. 16°26' E. at right angles to said centerline a distance of 365 feet, more or less, to the Northerly line of the Lost River Diversion Canal; thence Southwesterly along said Northerly line a distance of 232.5 feet, more or less, to a point which bears S. 16°26' E. from the point of beginning; thence N. 16°26' W. a distance of 398 feet, more or less, to the point of beginning. Said parcel containing 2.02 acres, more or less.

TOGETHER WITH and subject to an easement thirty feet in width for road and utility purposes. Said Easement shall run along the Southern boundary of the above described parcel and along the Southern boundary of the below described Parcels 3 and 1, and adjacent to the North boundary of the Lost River Diversion Canal. This easement is for the mutual benefit of the above described property conveyed herein and Parcels 3 and 1 below described.

Parcel 3. A parcel of land situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 39 South, Range 9, E.W.M., said parcel being a portion of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying Southerly of the centerline of the U.S.R.S. No. 17 Drain, Northerly of the Lost River Diversion Canal and Easterly of the U.S.R.S. C-G Canal and further described as follows:

Beginning at a point on the centerline of the U.S.R.S. No. 17 Drain which bears N. 73°34' E. a distance of 530 feet from the Northeasterly right-of-way line of the C-G Canal; thence S. 16°26' E. at right angles to said centerline a distance of 365 feet, more or less, to the Northerly line of the Lost River Diversion Canal; thence Northeasterly along said Northerly line to its intersection with the East line of said Section 30; thence North along said East line to its intersection with the centerline of the U.S.R.S. No. 17 Drain; thence S. 73°34' W. along said centerline a distance of 754.1 feet, more or less, to the point of beginning. Less and excepting that portion thereof lying within the right-of-way of Reeder Road. Said parcel containing 5.78 acres, more or less.

Parcel 1.

A parcel of land situated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 39 South Range 10, E.W.M., said parcel being a portion of said SE $\frac{1}{4}$ SE $\frac{1}{4}$  lying Southerly of the centerline of the U.S.R.S. No. 17 Drain, Northerly of the Lost River Diversion Canal and Easterly of the U.S.R.S. C-G Canal and further described as follows:

Beginning at a point which is the intersection of the North-easterly right-of-way of the C-G Canal with the centerline of the No. 17 Drain, said point being South a distance of 1837.7 feet and S. 73°34' W. a distance of 1284.1 feet, more or less, from the East one-quarter corner of said Section 30; thence N. 73°34' E. a distance of 300.0 feet to a point; thence at right angles to said centerline of the No. 17 Drain, S. 16°26' E. a distance of 398.0 feet, more or less, to a point on the Northerly line of the Lost River Diversion Canal; thence Southwesterly along said Northerly line a distance of 149.6 feet, more or less, to the North-easterly right-of-way of the C-G Canal; thence Northwesterly along the Northeasterly line of said C-G Canal a distance of 450.5 feet, more or less, to the point of beginning. Said parcel containing 2.13 acres, more or less.

PROPERTY DESCRIBED HEREIN FOR CONVEYANCE INCLUDES ONLY PARCEL 2 AND THE EASEMENT. PARCELS 3 AND 1 ARE DESCRIBED FOR THE SOLE PURPOSE OF CLARIFYING THE MUTUAL EASEMENT.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Richard Fairclo the 23rd day of Aug A.D., 19 95 at 11:50 o'clock A M., and duly recorded in Vol. M95, of Deeds on Page 22690

Bernetha G. Lelsch, County Clerk

FEE \$40.00

By [Signature]