

OK **19648**

WARRANTY DEED

**Vol 196 Page 17256**

**KNOW ALL MEN BY THESE PRESENTS, That REGIS V. ANDRIEU**

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by **LEE R. SUKRAW**, 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 appertaining, situated in the County of **Klamath** and State of Oregon, described as follows, to-wit:

See Exhibit "A" attached hereto.

Subject to: See Exhibit "B" attached hereto.

(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 excepting therefrom reservations, restrictions, rights-of-way, easements and those apparent upon the land.

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 \$ **491,564.00**.

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (and not only the cash or money paid or promised) and which is to be taken into account 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 **December**, 1990 ;

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.

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.

*Regis V. Andrieu*  
Regis V. Andrieu

STATE OF OREGON, ) ss.  
County of **Klamath**  
December 21, 1990

Personally appeared the above named **Regis V. Andrieu**

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

(OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires: **11/16/91**

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
\_\_\_\_\_, 19\_\_\_\_

Personally appeared \_\_\_\_\_ and \_\_\_\_\_ who, being duly sworn, each for himself and not one for the other, did say that the former is the \_\_\_\_\_ 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 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.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires:

(If executed by a corporation, affix corporate seal)

**Regis V. Andrieu**  
**1850 Lower Klamath Lake Road**  
**Klamath Falls, OR 97603**  
GRANTOR'S NAME AND ADDRESS

**Lee R. Sukraw**  
**1881 Lower Klamath Lake Road**  
**Klamath Falls, OR 97603**  
GRANTEE'S NAME AND ADDRESS

After recording return to:

**Lee R. Sukraw**  
**1881 Lower Klamath Lake Road**  
**Klamath Falls, OR 97603**  
NAME, ADDRESS, ZIP

Until a change is requested all tax statement shall be sent to the following address:

**Lee R. Sukraw**  
**1881 Lower Klamath Lake Road**  
**Klamath Falls, OR 97603**  
NAME, ADDRESS, ZIP

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/file/instrument/microfilm/reception No. \_\_\_\_\_.  
Record of Deeds of said county.

Witness my hand and seal of County affixed.

By \_\_\_\_\_ Deputy

SPACE RESERVED FOR RECORDER'S USE

96 JUN 11 P 3:46

EXHIBIT "A"  
LEGAL DESCRIPTION

Township 40 South, Range 9 East of the Willamette Meridian, Klamath County Oregon:

PARCEL 1: Section 28: Portions of Lots 2, 5, 6, 8 and 9, being more particularly described as follows:

Beginning at a point on the North-South centerline of Section 28, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and in the centerline of the Lower Klamath Lake County Road as the same is presently located and constructed, and from which point, the quarter section corner common to Sections 21 and 28 bear North 0 degrees 06 1/4' East 1326.8 feet distant; thence South 0 degrees 06 1/4' West 221.4 feet; thence North 72 degrees 11' West 58.9 feet to the centerline of the Klamath Drainage District North Canal as the same is presently located and constructed; thence South 0 degrees 06' West along the centerline of said canal 286.7 feet to a point; thence leaving the centerline of said canal, South 68 degrees 30 3/4' East 25.6 feet to an iron pipe reference monument; thence South 68 degrees 30 3/4' East 385.8 feet to an iron pipe; thence North 0 degrees 17' East 274.4 feet to the centerline of a well; thence North 0 degrees 17' East 211.3 feet to the centerline of the said County Road; thence North 64 degrees 41' West along the centerline of said County Road 362.7 feet, more or less, to the point of beginning.

PARCEL 2: Sections 28 & 29: Those portions of the SW1/4 NW1/4, Lot 6, and Lot 8, Section 28, lying Southerly and Westerly of the centerline of the Klamath Drainage District North Canal as the same is presently located and constructed, and the SE1/4 NE1/4 and E1/2 SW1/4 NE1/4 of Section 29, all in Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and more particularly described as follows:

Beginning at a point on the Section line common to Sections 28 and 29, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon at the Northeast corner of the SE1/4 NE1/4 of said Section 29, from which the section corner common to Sections 20, 21, 28 and 29, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon bears North 0 degrees 12 1/2' East 1317.5 feet distant; thence North 89 degrees 50 1/4' West 2058.3 feet to a point; thence South 0 degrees 07 1/4' East 16.5 feet to an iron pin reference monument; thence South 0 degrees 07 1/4' East 1302.2 feet to a point from which an iron pin reference monument bears South 0 degrees 07 1/4' East 19.3 feet distant; thence South 89 degrees 52 1/4' East 2050.9 feet to the quarter-section corner common to the said Sections 28 and 29; thence in Section 28, South 89 degrees 48 1/2' East 2643.9 feet to the center quarter-section corner of said Section 28; thence North 0 degrees 06 1/4' East along the North-South centerline of said Section 28, 620.8 feet to a point on the centerline of the Klamath

- Drainage District North Canal, thence following the centerline of said canal, North 89 degrees 54 1/2' West 56.0 feet to a point; thence North 0 degrees 06' East 485.2 feet to a point; thence North 72 degrees 11' West 500.9 feet to a point; thence South 87 degrees 52 1/2' West 667.5 feet to a point; thence North 78 degrees 02 1/2' West 403.3 feet to a point; thence North 39 degrees 28' West 6.4 feet to a point; thence leaving the centerline of said canal, North 89 degrees 49 1/4' West 1042.7 feet more or less to the point of beginning.

PARCEL 3: Section 32: The E1/2 E1/2

PARCEL 4: Portions of Lots 2, 5 and 9, Section 28, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the quarter section corner common to Sections 21 and 28, Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence South 0 degrees 06 1/4' West 1326.8 feet along the North-South centerline of the said Section 28 to a point in the centerline of the Lower Klamath Lake County Road as the same is presently located and constructed; thence South 64 degrees 41' East along the centerline of said County Road 362.7 feet to the true point of beginning of this description; thence South 0 degrees 17' West 211.3 feet to the centerline of a well; thence South 0 degrees 17' West 274.4 feet to an iron pipe; thence South 74 degrees 59 1/4' East 502.5 feet to an iron pipe; thence North 0 degrees 09 1/4' East 400.0 feet to an iron pipe reference monument; thence North 0 degrees 09 1/4' East 31.2 feet to a point in the centerline of the said County Road; thence North 69 degrees 35' West along the centerline of said County Road 467.4 feet to a point; thence North 64 degrees 41' West 50.3 feet more or less to the point of beginning.

PARCEL 5: A tract of land in Klamath County, Oregon, described as follows:

In Township 40 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Section 29: W1/2 SW1/4 NE1/4, S1/2 NW1/4, SW1/4, W1/2 SE1/4, EXCEPTING THEREFROM that tract in the SW1/4 SW1/4, being a right of way 180 feet in width, conveyed to the United States of America by instrument recorded January 20, 1945 in Book 172 at page 351, Deed Records of Klamath County, Oregon. AND ALSO EXCEPTING that portion conveyed to the United States of America by Deed recorded April 2, 1976 in Volume M76, page 4625, Microfilm Records of Klamath County, Oregon.

Section 32: W1/2 E1/2

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.

2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Drainage District.

4. An easement created by instrument, subject to the terms and provisions thereof,

Dated: November 24, 1922

Recorded: November 25, 1922

Volume: 59, page 338, Deed Records of Klamath County, Oregon

In favor of: Klamath Drainage District

For: Irrigation canal 100' wide, for drainage canal 50' wide and for road and ditch 30' wide.

5. Reservations contained in Deed from Klamath Drainage District, recorded January 29, 1940 in Volume 126, page 608, Deed Records of Klamath County, Oregon, as follows:

"Grantor reserves to itself, its successors and assigns the necessary rights of way across the above described property for the construction, operation and maintenance of roads, telephone and electric transmission lines, canals, ditches, drains and other works now constructed or which may be necessary in the future for the reclamation and development of the lands within the Klamath Drainage District."

6. An easement created by instrument, subject to the terms and provisions thereof,

Dated: June 18, 1982

Recorded: July 8, 1982

Volume: M82, page 8568, Microfilm Records of Klamath County, Oregon

In Favor of: Pacific Power and Light Company

For: 10' wide right of way for electric transmission line

7. The effect, if any, of an easement for roadway purposes, 22' in width as disclosed by contract from State of Oregon, Department of Veterans' Affairs to Sam A. Henzel and Thurston K. Henzel, recorded June 14, 1988 in Volume M88, page 9223, Microfilm Records of Klamath County, Oregon.

8. Lease, subject to the terms and provisions thereof,  
Dated: June 13, 1990  
A memorandum of which was;  
Recorded: June 14, 1990  
Volume: M90, page 11650, Microfilm Records of Klamath County,  
Oregon  
Lessor: Regis V. Andrieu  
Lessee: Lee R. Sukraw

9. An easement created by instrument, subject to the terms and provisions thereof,  
Dated: May 22, 1990  
Recorded: June 27, 1990  
Volume: M90, page 12564, Microfilm Records of Klamath County,  
Oregon  
In favor of: Pacific Power and Light Company  
For: 10' wide right of way for electric transmission lines

## EXHIBIT "B" - Page 2 of 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of AmeriTitle the 11th day  
of June A.D., 19 96 at 3:46 o'clock PM., and duly recorded in Vol. M96  
of Deeds on Page 17256.

FEE \$50.00

By Bernetha G. Letsch, County Clerk  
Cheryl Russell