

24157

Vol. No.

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KNOW ALL MEN BY THESE PRESENTS, that RICHARD L. CARBUTT and PATRICIA A. CARBUTT

Hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by NEAL G. BUCHANAN AND GLENN E. SMITH each as to an undivided one half interest as tenants in common called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, the 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 ATTACHED DESCRIPTION MADE A PART HEREOF

** THIS INSTRUMENT IS BEING RECORDED TO REPLACE THAT CERTAIN FULFILLMENT DEED TO A REAL ESTATE CONTRACT RECORDED IN VOLUME M89 AT PAGE 17095, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON, WHICH WAS LOST PRIOR TO RECORDING. **

MOUNTAIN TITLE COMPANY

"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."

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 and the above granted premises, free from all encumbrances except those of record and apparent to the land and plat thereof on file in the office of the County Clerk 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 \$ 47,869.32. 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 29th day of August, 19 96; 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.

STATE OF OREGON,
County of Klamath) ss.
August 29, 19 96

Richard L. Carbutt
Patricia A. Carbutt

Personally appeared the above named
Richard L. Carbutt
and Patricia A. Carbutt

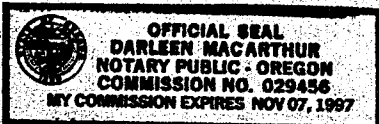
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Darleen MacArthur
Notary Public for Oregon
My commission expires: 11-7-97

STATE OF OREGON, County of _____) ss.
The foregoing instrument was acknowledged before me this _____, 19 _____, by _____, _____, president, and by _____, secretary of _____

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon _____
My commission expires: _____ (SEAL)



GRANTOR'S NAME AND ADDRESS	
GRANTOR'S NAME AND ADDRESS	
Also recording with us:	<u>Neal Buchanan and Glenn E. Smith</u>
	<u>Klamath Falls, Oregon 97601</u>
NAME, ADDRESS, ZIP	
Until a change is reported all tax statements shall be sent to the following address:	<u>same as above</u>
NAME, ADDRESS, ZIP	

SPACE RESERVED
FOR
RECORDING'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 _____ on page _____ or as file/reel number _____, Record of Deeds of said county. Witness my hand and seal of County affixed.

By _____ Recording Officer
Deputy

EXHIBIT 'A'
LEGAL DESCRIPTION

A portion of lot 6, Block 45, NICHOLS ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, being more particularly described as follows:

Beginning at a point in the Southeasterly boundary of Washington Street, which is also the Northwestern boundary of Lot 6 in Block 45, NICHOLS ADDITION to the City of Klamath Falls, located 15 feet distant Southwesterly from the most Northerly corner of said Lot 6; thence Southwesterly along Washington Street to the line between Lots 5 and 6 in said Block 45; thence Southeasterly along said line between Lots 5 and 6 a distance of 90 feet; thence Northeasterly at right angles to said line between said lots 5 and 6, a distance of 55.83 feet; thence Northwesterly in a straight line to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of AmeriTitle the 3rd day
of September A.D., 19 96 at 11:58 o'clock AM., and duly recorded in Vol. M96
of Deeds on Page 27340.

FEE \$35.00

Bernetha G Letsch, County Clerk

By *C. J. Smith*