

NA

27544

K-48782
WARRANTY DEED

Vol. 176 Page 34304

KNOW ALL MEN BY THESE PRESENTS, That Gerald M. Briggs

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by James R. Van Horn

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

As described upon attached Exhibit

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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

and that grantor will warrant and forever defend the 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 \$ 13,400.00. 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, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 30th day of October, 1996; if a corporate grantor, it has caused its name to be signed and its seal, if any, 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.

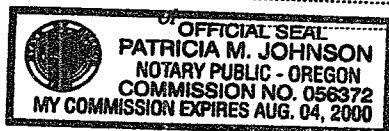
Gerald M. Briggs

Gerald M. Briggs.

STATE OF OREGON, County of Klamath

This instrument was acknowledged before me on October 30, 1996, by Gerald M. Briggs

This instrument was acknowledged before me on October 30, 1996, by as



Patricia M. Johnson

Notary Public for Oregon
My commission expires Aug 4, 2000

Gerald M. Briggs
1305 Greenborough Drive
Roseville, CA 97639

Grantor's Name and Address
James R. Van Horn
P.O. Box 72
Sprague River, ORE. 97639

Grantee's Name and Address
After recording return to (Name, Address, Zip):
James R. Van Horn
P.O. Box 72
Sprague River, ORE. 97639

Until requested otherwise send all tax statements to (Name, Address, Zip):
James R. Van Horn
P.O. Box 72
Sprague River, OR 97639

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,
County of Klamath } ss.

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 and/or as fee/file/instrument/microfilm/reception No. Record of Deeds of said County.

Witness my hand and seal of County affixed.

By NAME TITLE
By Deputy

That certain parcel of real property in the County of Klamath,
State of Oregon, described as:

A tract of land situated in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 26, Township 36 South, Range 10 East of the Willamette Meridian described as follows:

Beginning at the brass cap monument marking the Northwest corner of said Section 26; thence N. 89°54'26" E. along the North line of said Section 26 a distance of 1319.89 feet to a 5/8" iron pin; thence S. 00°00'40" E. a distance of 1306.75 feet to a 3/4" iron pipe; thence S. 89°57'11" W. a distance of 1318.37 feet to a 3/4" iron pipe on the West line of said Section 26; thence N. 00°04'40" W. a distance of 1305.70 feet to the point of beginning; said tract containing 39.63 acres, more or less.

SUBJECT TO all easements, reservations, restrictions and rights of way of record or apparent on the ground, including the road right of way easement granted to John S. Michael and Bonnie L. Michael, their heirs, successors and assigns, for the purpose of providing permanent access to the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26 via the existing road, including the right to repair, maintain and improve such road, so as to provide ingress and egress to said SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 26.

DUE ON SALE PROVISION.

The note secured by this Deed of Trust may not be assumed by any other party and if James E. Van Horn permits his title to the described property to be divested in any manner, by sale, transfer, of the beneficial interest, voluntary or involuntary without the written consent of the holder of the note secured by this Deed of Trust the holder of the note, without prior notice, may declare all sums secured by the Deed of Trust to be due and payable and may exercise all rights and remedies provided in the Deed of Trust. PROVIDED HOWEVER, the placing of LAURI VAN HORN as joint tenant on the described property, at the election of James R. Van Horn shall not be cause for such acceleration.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title the 30th day
of October A.D., 19 96 at 3:08 o'clock P. M., and duly recorded in Vol. M96,
of Deeds on Page 34304

Bernetha G. Letsch County Clerk
By Bernetha G. Letsch

FEE \$35.00