

NS

32034

Vol. 1197 Page 2731

STATE OF OREGON,

County of _____ } 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.

NAME _____

TITLE _____

By _____, Deputy.

SPACE RESERVED
FOR
RECORDER'S USE

Aspen 45743

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that _____ CHRIS C. KERNS

hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by _____ JOHN E. JOHNSON *JEK*

hereinafter called 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 _____ County, State of Oregon, described as follows, to-wit:

Lot 4, ALTAMONT SMALL FARMS, in the County of Klamath, State of Oregon. SAVING AND EXCEPTING THEREFROM the Westerly 10 feet thereof conveyed to Klamath County by Deed recorded September 17, 1987 in Book M-87 at Page 16949. LESS AND EXCEPT that portion of the above described property deeded to Klamath County by Deed recorded September 4, 1991 in Book M-91 at Page 17665 and by Deed recorded July 8, 1996 in Book M-96 at Page 20146, Microfilm Records of Klamath County, Oregon.

CODE 24 MAP 3909-15BC TL 1400

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto 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 except (if no exceptions, so state): _____

SEE ATTACHED EXHIBIT "A"

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 \$ 10,000.00. However, the actual consideration consists of or includes other property or value given or promised which is ☐ the whole ☐ part of the (indicate which) consideration. (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 29th day of January, 1997; if grantor is a corporation, 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.

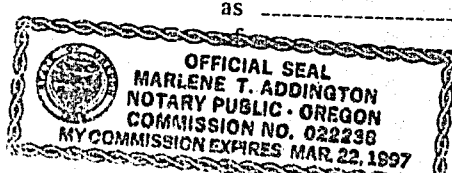
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO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

Chris C. Kerns

STATE OF OREGON, County of Klamath } ss.This instrument was acknowledged before me on January 29, 1997, by Chris C. Kerns

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

as _____



Marlene T. Addington
Notary Public for Oregon
My commission expires 3-22-97

97 JAN 30 AM 10:24

35

EXHIBIT A

1. Conditions, Restrictions, Easements and Assessments, as shown on the recorded plat of Altamont Small Farms.

2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District.

3. Regulations, including levies, liens, assessments, rights of way and easements of the South Suburban Sanitary District.

4. This property lies within and is subject to the levies and assessments of the Klamath County Drainage District.

5. Conditions and Restrictions in Deed:

Recorded: August 4, 1930

Book: 90

Page: 514

As follows: "...and reserving to the grantors in easement and right of way for the purpose of constructing and maintaining an irrigation ditch along the boundary line or lines of the land hereinbefore described."

6. Resolution #92-010 in the Matter of Acceptance of County Road Right of Way for Washburn Way, recorded September 5, 1991 in Book M-91 at Page 17725.

7. Easement, including the terms and provisions thereof:

Granted to: US West Communications, Inc., a Colorado Corporation

Recorded: May 28, 1996

Book: M-96

Page: 15276

Fee No.: 18731

8. Resolution #97-001 in the Matter of Acceptance of County Road Right of Way, recorded July 8, 1996 in Book M-96 at Page 20144.

9. Easement, including the terms and provisions thereof, as disclosed by Warranty Deed:

Granted to: Klamath County, a political subdivision of the State of Oregon

Recorded: July 8, 1996

Book: M-96

Page: 20146

Fee No.: 20949

10. Access Restrictions, including the terms and provisions thereof contained in Deed:

From: Chris C. Kerns

To: Klamath County, a political subdivision of the State of Oregon

Dated: June 6, 1996

Recorded: July 8, 1996

Book: M-96

Page: 20146

Fee No.: 20949

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 30th day
of January A.D., 19 97 at 10:24 o'clock A. M., and duly recorded in Vol. M97
of Deeds on Page 2731.

FEE \$35.00

Bernetha G. Letsch, County Clerk
by Kathleen Rose