

1-1-74

46916

WARRANTY DEED

Vol. 777 Page 33740

KNOW ALL MEN BY THESE PRESENTS, That

OBIL S. COLLMAN and BERNIECE V. COLLMAN, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by WILLIAM H. BARTLETT and CATHERINE M. BARTLETT, husband and wife, 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

(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 set forth in Exhibit "A" attached hereto

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 \$ 270,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which). (The sentence between the symbols  $\phi$ , if not applicable, should be deleted. See O.R.S. 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 17th day of October, 1979 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)

Obil S. Collman  
Berniece V. Collman

STATE OF OREGON, )  
County of Klamath ) ss.  
October 17th, 1979

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 \_\_\_\_\_

Personally appeared the above named OBIL S. COLLMAN and BERNIECE V. COLLMAN, husband and wife and acknowledged the foregoing instrument to be their voluntary act and deed.

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.

(OFFICIAL SEAL) Obil S. Collman

Before me: (OFFICIAL SEAL)

Notary Public for Oregon

Notary Public for Oregon

My commission expires:

My commission expires:

My Commission Expires July 13, 1981

OBIL S. COLLMAN and BERNIECE V. COLLMAN, husband and wife  
P.O. Box 385, Klamath Falls, Ore. 97601

WILLIAM H. & CATHERINE M. BARTLETT  
Husband and wife, 1270 Lakeshore Dr.  
Klamath Falls, Oregon 97601

After recording return to: 3705 ARCTIC BLVD, #2338  
AND HOUSAGE, K 99501

Grantees above named

NAME, ADDRESS, ZIP

Until a change is recorded all tax statements shall be sent to the following address:

Grantees above named

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 \_\_\_\_\_ on page \_\_\_\_\_ or as file/real number \_\_\_\_\_.  
Record of Deeds of said county.  
Witness my hand and seal of County affixed.

SPACE RESERVED FOR RECORDER'S USE

Recording Officer

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

## DESCRIPTION

## PARCEL 1:

All that portion of the  $W\frac{1}{2}$  of the  $SE\frac{1}{4}$  of Section 22, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, that lies South and East of the County Road known as Old Fort Road, EXCEPTING THEREFROM the following:

A tract of real property in the  $W\frac{1}{2}$  of the  $SE\frac{1}{4}$  of Section 22, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at a point, marked with a one-half inch steel rod, on the Easterly right of way boundary of Old Fort Road, this date existing which point bears North 32.72 feet and East 287.01 feet from the South  $1/16$  corner of Section 22, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence along said Easterly right of way boundary of Old Fort Road, North  $50^{\circ} 34'$  East, 96.88 feet and North  $23^{\circ} 00'$  East, 229.12 feet to a  $\frac{1}{2}$  inch iron pipe; thence leaving said right of way boundary, at right angles, bearing South  $67^{\circ} 00'$  East, 676.63 feet to a  $\frac{1}{2}$  inch iron pipe; thence South  $18^{\circ} 09'$  West, 316.12 feet to a one-half inch iron pipe; thence North  $67^{\circ} 00'$  West, 735.41 feet to a  $\frac{1}{2}$  inch iron pipe on existing fence line; continuing North  $67^{\circ} 00'$  West, 12.78 feet more or less to the point of beginning.

ALSO EXCEPTING THEREFROM a tract of real property in the  $NW\frac{1}{4}$  of the  $SE\frac{1}{4}$  of Section 22, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of that land recorded in Volume 260, page 278 of Deed Records of Klamath County, more particularly described as follows:

Beginning at the intersection of the Easterly right of way boundary of the Old Fort Road (county road) and the North boundary of the  $NW\frac{1}{4}SE\frac{1}{4}$  of said Section 22; thence East along said boundary 304.0 feet, more or less, to the Northeast corner of said  $NW\frac{1}{4}SE\frac{1}{4}$ ; thence South along the East boundary of same, a distance of 810.0 feet; thence West 647.0 feet, more or less to the Easterly right of way boundary of aforesaid Old Fort Road (county road); thence Northeasterly along said right of way boundary to the point of beginning.

## PARCEL 2:

The  $W\frac{1}{2}$  of the  $NE\frac{1}{4}$  of Section 27, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

## PARCEL 3:

The  $E\frac{1}{2}$  of the  $NW\frac{1}{4}$  of Section 27, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

1. Taxes for the fiscal year 1979-1980, a lien, not yet due and payable.
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 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 for the last ten (10) or lesser number of years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.  
(Affects parcels 1, 2 and 3)
4. The premises herein described are within and subject to the statutory powers, including the power of assessment of Klamath Basin Improvement District.  
(Affects Parcels 1 and 2)
5. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
6. Grant of Right of Way, including the terms and provisions thereof, dated January 6, 1944 and recorded in Volume 162, page 15, Records of Klamath County, Oregon, in favor of The California Oregon Power Company for pole and wire lines.  
(Affects NE<sup>1</sup>/<sub>4</sub> of Section 27)
7. An Easement created by instrument, including the terms and provisions thereof, recorded in Volume 176, page 485, Records of Klamath County, Oregon, in favor of the United States of America, for construction, maintenance and operation of water and sewer pipe lines.  
(Affects NE<sup>1</sup>/<sub>4</sub> of Section 27 and other property)
8. Grant of Right of Way, including the terms and provisions thereof, dated October 26, 1953, and recorded in Volume 263, page 661, Records of Klamath County Oregon, in favor of The California Oregon Power Company, for transmission and distribution of electricity.  
(Affects SE<sup>1</sup>/<sub>4</sub> and SW<sup>1</sup>/<sub>4</sub> of Section 27)
9. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.  
Dated: June 1, 1966  
Recorded: June 6, 1966  
Volume: M66, page 5912, Microfilm Records of Klamath County, Oregon  
Amount: \$10,990.00  
Mortgagor: Obil S. Collman and Berniece V. Collman, husband and wife  
Mortgagee: The Federal Land Bank of Spokane  
(With other property)
10. Lease and Agreement, including the terms and provisions thereof,  
Dated: January 23, 1972  
Recorded: February 22, 1972  
Volume: M72, page 1864, Microfilm Records of Klamath County, Oregon  
Lessor: Obil S. Collman and Berniece V. Collman h/w  
Lessee: Gulf Oil Corporation, a Pennsylvania Corporation

33743

11. An Easement created by instrument, including the terms and provisions thereof,  
 Dated: September 10, 1973

Recorded: October 5, 1973

Volume: M73, page 13491, Microfilm Records of Klamath County, Oregon

In favor of: Southern Oregon Broadcasting Company, an Oregon corporation, dba  
 SO Cable TV

For: Installation and maintenance of transmission lines and facilities  
 (Affects a portion of Section 27 and other property)

12. No liability is assumed if a Financing Statement is filed after July 1, 1978  
 covering growing crops.

Note: Taxes for the fiscal year 1978-1979, paid.

Amount: \$14.10 Account No.: 3-68 Tax Lot 133 (with other property)  
 (Affects Parcel 2)

Amount: \$765.20 Account No.: 53-68 Tax Lot 124  
 (Affects Parcel 1 and Parcel 3)

Note: New Account number for Parcel 3 is 53-3809-2720 Tax Lot 100

13. Easements and rights of way of record and those apparent on the  
 land.

14. Agreement for Easement, including the terms and provisions thereof,  
 dated October 11, 1979 and recorded October 12, 1979 in Volume  
 M79, page 24081, Microfilm Records of Klamath County, Oregon.  
 In Favor of: William C. Mills and Ronella Mills, husband and  
 wif. For: Ingress and Egress. (Affects Parcel 1)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of William Barillett  
 of October A.D., 19 97 at 1:33 o'clock P. M. and duly recorded in Vol. M97  
 of Deeds on Page 33740

FEE \$45.00

By Bernetha G. Letsch County Clerk  
K. G. Letsch