

48117

97 SEP-4 P351

Vol. 1997 Page 36556

WARRANTY DEED

#04046576

AFTER RECORDING RETURN TO:

VAN WINKLE-MUELLER CONSTRUCTION L.L.C.  
7300 South Side Bypass  
Klamath Falls, OR 97603

UNTIL A CHANGE IS REQUESTED ALL TAX  
 STATEMENTS TO THE FOLLOWING ADDRESS:  
 SAME AS ABOVE

HERMAN MC CARTY AND C. ROLAND MC CARTY, hereinafter called  
 GRANTOR(S), convey(s) to VAN WINKLE-MUELLER CONSTRUCTION L.L.C.,  
 hereinafter called GRANTEE(S), all that real property situated  
 in the County of Klamath, State of Oregon, described as:

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND BY  
 THIS REFERENCE MADE A PART HEREOF AS THOUGH FULLY SET FORTH  
 HEREIN . . . . .

"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 30.390."

and covenant(s) that grantor is the owner of the above described  
 property free of all encumbrances except covenants, conditions,  
 restrictions, reservations, rights, rights of way and easements  
 of record, if any, and apparent upon the land, and will warrant  
 and defend the same against all persons who may lawfully claim  
 the same, except as shown above.

The true and actual consideration for this transfer is  
 \$90,000.00.

In construing this deed and where the context so requires, the  
 singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument  
 this 23rd day of September, 1997.

Herman M. Carty  
 HERMAN MC CARTY

C. Roland M. Carty  
 C. ROLAND MC CARTY

STATE OF OREGON            )  
                                   ) ss.  
 County of Klamath        )

The foregoing instrument was acknowledged before me this 26th  
 day of September, 1997, by HERMAN MC CARTY AND C. ROLAND MC CARTY.

Before me: [Signature]  
 Notary Public for Oregon  
 My Commission Expires: 11-10-2000

## EXHIBIT "A"

A tract of land situated in the NE 1/4 SE 1/4 of Section 12, Township 39 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of Lot 20 of Tract 1283, a duly recorded subdivision, from which the C-E 1/16 corner of said Section 12 bears North 43 degrees 58' 06" West 1293.09 feet; thence North 89 degrees 24' 23" West 875.38 feet to a point on the Easterly right of way line of Orindale Road; thence along said Easterly right of way line North 00 degrees 28' 18" East 64.00 feet to the Southwest corner of that tract of land described in Deed Volume M-83 at Page 3783 of the Klamath County Deed Records; thence along said Deed Volume South 89 degrees 46' 29" East (South 88 degrees 53' 37" East by Deed Volume M-83, Page 3783) 50.00 feet, North 00 degrees 28' 18" East 53.00 (North 01 degree 22' 10" West by Deed Volume M-83, Page 3783) feet and North 39 degrees 46' 29" West (North 88 degrees 52' 37" by Deed Volume M-83, Page 3783) 50.00 feet to a point on said Easterly right of way; thence along said Easterly right of way North 00 degrees 28' 18" East 168.00 feet; thence South 89 degrees 24' 23" East 903.86 feet to a point on the Westerly line of said Tract 1283; thence along said Westerly line South 00 degrees 35' 37" West 100.00 feet, North 89 degrees 24' 23" West 27.88 feet and South 00 degrees 35' 37" West 185.00 feet to the point of beginning, with bearings based on said Tract 1283.

CODE 7 MAP 3908-12DA TL 200 (Affects this and other property)

STATE OF OREGON: COUNTY OF KLAMATH ss.

Filed for record at request of Aspen Title & Escrow the 4th day  
of November A.D., 19 97 at 3:51 o'clock P. M., and duly recorded in Vol. M97  
of Deeds on Page 36556

FEE \$35.00

By Hernetha G. Lersch County Clerk  
K. Lersch