

76662

SPECIAL WARRANTY DEED

Vol. 1999 Page 100134

KNOW ALL MEN BY THESE PRESENTS, That WILLIAM J. EASTER and BETTY JANE EASTER, husband and wife, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto JERRY O. ANDERSON and ELIZABETH A. ANDERSON, Trustees of the Anderson Loving Trust dated October 16, 1990, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

See Exhibit "A", attached hereto and by this reference incorporated herein.

59 MAR 22 AM 12:20

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 the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$112,500.00

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 day of July, 1997, 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.

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.

WILLIAM J. EASTER

BETTY JANE EASTER

STATE OF OREGON, County of Klamath, July 17, 1997.

STATE OF OREGON, County of, 19.

Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the forors is the president and that the latter is the secretary of

Personally appeared the above named William J. Easter and Betty Jane Easter 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.

Before me: (OFFICIAL SEAL) Notary Public for Oregon My commission expires:

NOTARY PUBLIC FOR OREGON My commission expires 1/22/01

William J. Easter, et ux 1270 Schonchin John Chilouquin, OR 97624

Anderson Loving Trust 3717 Beverly Drive Klamath Falls, OR 97603

After recording refers to: Jerry Anderson 3717 Beverly Drive Klamath Falls, OR 97603

Mr. and Mrs. Jerry Anderson 3717 Beverly Drive Klamath Falls, OR 97603

STATE OF OREGON, 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/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Deeds of said county. Witness my hand and seal of County affixed.

By Deputy

EXHIBIT 'A'

PARCEL 1:

A parcel of land being a portion of Lots 3, 4, and 5, Block 3, WEST KLAMATH FALLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwesterly corner of Lot 5, Block 3 and running North 06 degrees 45' 00" West 214.58 feet; thence North 83 degrees 15' 00" East 128.87 feet; thence South 43 degrees 47' 09" East 67.99 feet; thence North 83 degrees 15' 00" East 10.00 feet; thence South 8 degrees 57' 40" East 80.07 feet; thence South 06 degrees 46' 55" East 80.18 feet; thence South 83 degrees 12' 58" West 182.95 feet to the point of beginning.

EXCEPTING THEREFROM the South 50 feet of above described parcel.

ALSO EXCEPTING THEREFROM that portion of the Burlington Northern Railroad right of way.

PARCEL 2:

The South 50 feet of the following described parcel:

A parcel of land being a portion of Lots 3, 4, and 5, Block 3, WEST KLAMATH FALLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwesterly corner of Lot 5, Block 3 and running North 06 degrees 45' 00" West 214.58 feet; thence North 83 degrees 15' 00" East 128.87 feet; thence South 43 degrees 47' 09" East 67.99 feet; thence North 83 degrees 15' 00" East 10.00 feet; thence South 8 degrees 57' 40" East 80.07 feet; thence South 06 degrees 46' 55" East 80.18 feet; thence South 83 degrees 12' 58" West 182.95 feet to the point of beginning.

EXCEPTING THEREFROM that portion of the Burlington Northern Railroad right of way.

SUBJECT TO:

1. Terms and provisions contained in deeds to the State of Oregon, recorded July 11, 1962 in Volume 338, page 591, Deed Records of Klamath County, Oregon and recorded November 20, 1962 in Volume 341, page 442, Deed records of Klamath County, Oregon, regarding access to highway.
2. Terms and provisions contained in Quitclaim Deed from the State of Oregon to Great Northern Railway Company, dated April 23, 1964 and recorded May 8, 1964 in Volume 352, page 633, Deed Records of Klamath County, Oregon
3. Subject to the reservation as set out in Deed dated July 18, 1972 and recorded August 1, 1972 in Volume M72, page 8495, Microfilm Records of Klamath County, Oregon, as follows:

"Excepting and reserving unto the Burlington Northern, Inc., its successors and assigns forever all iron, natural gas, coal, oil and other minerals of any nature whatsoever upon or in the lands herein described together with the sole, exclusive and perpetual right to explore for, remove and dispose of the same by any means or method suitable to the Burlington Northern, Inc., its successors and assigns, but without entering upon or using the surface of lands herein described and in such manner as not to damage the surface of said lands or interfere with the use thereof, by the purchaser, its successors and assigns.

(continued)

10014-A

EXHIBIT "A" (continued)

4. Real Estate Contract, subject to the terms and provisions thereof;
Dated: May 31, 1978
Recorded: June 8, 1978
Volume: M78, page 12275, Microfilm Records of Klamath County, Oregon
Vendor: Mara Alexandria Stashuk (formerly Maloney)
Vendee: Robert E. Maloney, Jr. and Mara A. Chettle, a partnership
(Covers other property) (Affects Parcel 1)

5. Real Estate Contract, subject to the terms and provisions thereof,
Dated: January 1, 1988
Recorded: February 16, 1988
Volume: M88, page 2200, Microfilm Records of Klamath County, Oregon
Vendor: Mara Alexandria Maloney (formerly Stashuk)
Vendee: Robert E. Maloney, Jr. and Mara A. Chettle, a partnership
(Affects Tax Lot 2200)

6. Real Estate Contract, subject to the terms and provisions thereof,
Dated: June 9, 1989
Recorded: June 9, 1989
Volume: M89, page 10295, Microfilm Records of Klamath County, Oregon
Rerecorded: December 11, 1989
Volume: M89, page 23826, Microfilm Records of Klamath County, Oregon
Vendor: Robert E. Maloney, Jr. and Mara A. Chettle and Link River Properties, Inc., an Oregon Corporation
Vendee: Jerry O. Anderson and Elizabeth Anderson, husband and wife, and William J. Easter and Betty Jane Easter, husband and wife

The Vendees interest of Jerry O. Anderson and Elizabeth A. Anderson was conveyed by Bargain and Sale Deed to Jerry O. Anderson and Elizabeth A. Anderson Trustee under Anderson Loving Trust dated October 16, 1990, recorded in Volume M92, page 27354, Microfilm Records of Klamath County, Oregon.

STATE OF OREGON - COUNTY OF KLAMATH

Filed for record at request of Aspen Title & Escrow the 22nd day
of March A.D. 1999 at 11:20 o'clock P. M., and duly recorded in Vol. M99
of Needs on Page 10913

FEE \$40.00

Link Smith, County Clerk

by Kathleen Rose