

KS 3094V

WARRANTY DEED

Vol M99 Page 43395

KNOW ALL MEN BY THESE PRESENTS, That WILLIAM T. MERRILL

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by WILLIAM ROSE, 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 1, attached hereto and by this reference incorporated herein.

1999 OCT 29 PM 3:07

(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 reservations, restrictions, rights-of-way, easements of record and those apparent upon the land,

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 \$16,778.72. 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 @, if not applicable, should be deleted. See ORS 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 day of 1999; if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by order of its board of directors.

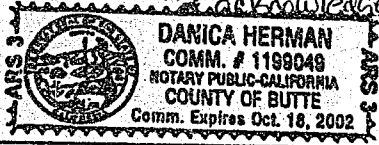
William T. Merrill WILLIAM T. MERRILL

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.

STATE OF OREGON, County of Butte Klamath ss.

This instrument was acknowledged before me on 19 99 by WILLIAM T. MERRILL

This instrument was acknowledged before me on Oct. 21 19 99 by Danica Herman, Notary Public personally appeared William T. Merrill who proved to me to be the person acknowledged in the document.



Danica Herman My commission expires Oct. 21, 1999 Notary Public for Oregon

WILLIAM T. MERRILL c/o Barbara Bergstrom 8 Victoria Way, Chico, CA 95926 GRANTOR'S NAME AND ADDRESS

WILLIAM ROSE 625 S. Chapel Street Landis, NC 28088 GRANTEE'S NAME AND ADDRESS

After recording return to: NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address. WILLIAM ROSE 625 S. Chapel Street Landis, NC 28088 NAME, ADDRESS, ZIP

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 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

KS 35

EXHIBIT 1

A tract of land situated in Lot 3 of ALTAMONT SMALL FARMS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, said tract being more particularly described as follows:

Beginning at a point on the south line of said Lot 3, being S 88°46'35" E 264.00 feet from the southwest corner of said Lot 3; thence N 00°11'00" E 330.06 feet to the north line of said Lot 3; thence S 88°46'35" E 369.20 feet to the northeast corner of said Lot 3; thence S 00°11'00" W 330.06 feet to the southeast corner of said Lot 3; thence N 88°46'35" W 369.20 to the point of beginning.

TOGETHER WITH a 30-foot easement for ingress and egress described as follows: beginning at the southwest corner of said Lot 3; thence N 00°11'00" E 30.00 feet; thence S 88°46'35" E parallel to the southerly line of said Lot 3, 264.00 feet; thence S 00°11'00" W 30.00 feet to the said southerly line; thence N 88°46'35" W 264.00 feet to the point of beginning, with bearings based on recorded survey no. 2214, as recorded in the office of the Klamath County Surveyor.

Together with all improvements on said real property presently existing or which may be hereafter added to said property.

Subject, however, to the following:

1. Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
2. Any unpaid charges or assessments of the Klamath Irrigation District.
3. Rules, regulations, and assessments of South Suburban Sanitary District.
4. An easement created by instrument, including the terms and provisions thereof:

Recorded : May 28, 1976 in Volume M76, Page 7939, Deed Records of Klamath County
Oregon

From : William T. Merrill and Pauline E. Merrill, husband and wife

To : Oregon Water Corporation, a public utility of the State of Oregon

State of Oregon, County of Klamath
Recorded 10/29/99, at 3:07 a.m.
In Vol. M99 Page 43395
Linda Smith,
County Clerk Fee \$ 35.00