FORM No. 716—WARRANTY DEED (Individual or Corporate). (Grantees as Tenants by Entirety).								
OK			STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR. 97204					
	WARRANTY DEED-TENANTS BY ENTIRETY	Vol_	M02	Page 1	1529	A		
Transparid and	PRESENTS, That SCOTT C.	KEL	LSTRO	M and J	ENNAFRE	ED.		
nereinafter called the grantor, for the constant NADE and GAIL M. WADE nereby grant, bargain, sell and convey unit	sideration hereinafter stated to the g	rantor	paid by	Bbbb	N. grantees, c	does		

pertaining, 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. See Exhibit B, attached hereto, and by this reference incorporated herein, for the exceptions thereto.

hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or ap-

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantees and the heirs of the survivor and their 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 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 \$ 170,000.00 However, the actual consideration consists of or includes other property or value given or promised which is

consideration (indicate which). $^{\odot}$ (The sentence between the symbols $^{\odot}$, 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 20 hday of February ,xx2002 if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by

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.

SCOTT C ined Franch JENNAPRED A. KELLSTROM

STATE OF OREGON, County of Klamath	STATE OF OREGON, County of) ss.
February 3 2002	Personally appeared	and
Personally appeared the above named Scott C. Kellstrom and Jennafred A. Kellstrom	each for himself and not one for the other pres	who, being duly sworn, did say that the former is the ident and that the latter is the
ment to be their voluntary agt and deed	and that the seal attixed to the toregoing if of said corporation and that said instrument halt of said corporation by authority of its them acknowledged said instrument to be if Before me:	nstrument is the corporate seal nt was signed and sealed in be-
NOTARY PUBLIC OREGON COMMISSION NO. 3275720 MY COMMISSION PARMINISTED PARMINIS	Notary Public for Oregon My commission expires:	(OFFICIAL SEAL)

SCOTT C. KELLSTROM, ET UX 660 Standord Klamath Falls, OR 97601
GRANTOR'S NAME AND ADDRES

STATE OF OREGON.

(If executed by a corporation, affix corporate seal)

FRED N. WADE, ET UX

After recording return to:

FRED N. WADE, ET UX

NAME, ADDRESS, ZIP

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

FRED N. WADE, ET UX

NAME, ADDRESS, ZIP

SPACE RESERVED RECORDER'S USE

My commission expires:

State of Oregon, County of Klamath Recorded 02/26/2002 //:/2 a. Vol M02, Pg //529-3 Linda Smith, County Clerk Fee \$ 3/00 # of Pgs _ # of Pgs <u>3</u>

EXHIBIT "A" DESCRIPTION OF PROPERTY

A tract of land situated in the SWŁNWŁ of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin with aluminum cap stamped "City of Klamath Falls" (formerly chiseled cross on a stone monument), said pin being N 41° E 1094 feet, more or less, by record from the West 1/4 corner of said Section 32; thence S 52°00'00" E 19.00 feet; thence S 50°08'40" W 28.79 feet; thence S 26°26'30" E 30.84 feet; S 37°51'20" E 42.04 feet; thence S 56°25'09" W 245.88 feet; thence continuing S 56°25'09" W 10 feet, more or less, to the left bank of Link River; thence Northwesterly along said bank 167.24 feet, more or less, to a point that bears S 71°30'00" W from the point of beginning; thence N 71°30'00" E 291 feet, more or less, to the point of beginning.

Reference: City of Klamath Falls Property Line Adjustment 006-94.

EXHIBIT "B"

Subject, however, to the following:

1. Easement and Agreement, including the terms and provisions thereof,

Dated

March 21, 1925

Recorded

April 25, 1925 in Volume 65 page 512, Deed records of Klamath County,

Oregon.

From

Fred Heilbronner, et al

To

The California Oregon Power Company, a corporation

For

Pipeline and irrigation

2. Release of Water Rights and Easement for Roadway, including the terms and provisions thereof,

Dated

May 16, 1947

Recorded

May 22, 1947 in Volume 206 page 429, Deed records of Klamath County,

Oregon

From

To

Howard Barnhisel and Maybelle E. Barnhisel husband and wife The California Oregon Power Company, a California corporation

3. Contract, including the terms and provisions thereof,

Dated

March 21, 1953

Recorded

October 15, 1953 in Volume 263 page 401, Deed records of Klamath County,

Oregon.

From

Oregon Water Corporation, a corporation

To

Howard Barnhisel and Maybelle E. Barnhisel

4. Grant of Easement, including the terms and provisions thereof,

Dated

April 5, 1995

Recorded

April 24, 1995, in Volume M95 page 10400, Deed records of Klamath County,

Oregon.

From

Claude W. Cross and Virginia R. Cross, Trustees of the C. W. Cross and V. R.

Cross 1992 Living Trust dated March 11, 1992

To

William M. Ganong and Marie I. Ganong

- 5. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of the Link River and the ownership of the State of Oregon in and to that portion lying below the high water mark thereof.
- 6. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Link River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.