

103 AUG 18 PM 3:39

Vol M03 Page 60326

State of Oregon, County of Klamath  
Recorded 08/18/2003 5:39 p m  
Vol M03 Pg 60326-28  
Linda Smith, County Clerk  
Fee \$ 3/00 # of Pgs 3



603-134  
(Reserved for Recording Purposes)

**BARGAIN AND SALE DEED**

ODVA Account Number	Tax Account Number  R150080
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IN CONSIDERATION of fulfillment of that certain Contract of Sale dated March 29, 1988, in the Face Value of \$66,000 and recorded on April 1, 1988, in Vol M88, Page 4721, in Klamath County, the STATE OF OREGON, by and through the Director of Veterans' Affairs, Grantor, does hereby grant, bargain, sell, and convey unto William R. Scally and Judith A. Scally, husband and wife, Grantee, all of the Grantor's right, title and interest to the following-described real property at 135151 Hwy 97 N, Crescent, Oregon 97733-9711 in Klamath County, State of Oregon, to wit:

A portion of the NE 1/4 SE 1/4 of Section 36, Township 24 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows: Beginning at the Northeast corner of the Southeast quarter of Section 36, Township 24 South, Range 8 East of the Willamette Meridian; thence West along the center line of Section 36, 407 feet, more or less, to the East right of way line of the Dalles-California Highway; thence in a Southerly direction along said right of way line 500 feet to the point which is the true point of beginning; thence Easterly at right angles to said right of way line 536 feet; thence Southerly at right angles 300 feet; thence Westerly at right angles 536 feet to the East right of way line of the Dalles-California Highway, thence along said right of way line 300 feet to the point of beginning, and beginning at the Northeast corner of the Southeast quarter of Section 36, Township 24 South, Range 8 East of the Willamette Meridian; thence along the center line of Section 36, 407 feet, more or less, to the East right of way line of the Dalles-California Highway; thence in a Southerly direction along said right of way line 400 feet; to a point which point is the true point of beginning. Thence Easterly at right angles to said right of way line 536 feet; thence Southerly at right angles 100 feet; thence Westerly at right angles 536 feet to the East right of way line of the Dalles-California Highway; thence along said right of way line 100 feet to the point of beginning. Less a parcel of land lying in the Northeast quarter of the Southeast quarter of Section 36, Township 24 South, Range 8 East of the Willamette Meridian,

AFTER RECORDING RETURN TO:

WESTERN TITLE & ESCROW  
153 SW 5TH ST  
REDMOND OR 97756

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

WILLIAM R SCALLY  
135151 HWY 97 N  
CRESCENT OR 97733-9711

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**LEGAL DESCRIPTION (continued)**

Klamath County, and being a portion of that property conveyed by those deeds to Willis C. Jorstad and Mabel Jorstad, recorded in Book 218, Page 493 and Book 185, Page 95 of Klamath County Records and Deeds. The said parcel being that portion of said property included in a strip of land 100 feet in width, lying on the Easterly side of the center line of the Dalles-California Highway as said highway has been relocated which center line is described as follows: Beginning at Engineer's center line 47+00, said station being 325 feet South and 515 feet West of the East quarter corner of said Section 36; thence South 25°50' West 500 feet to Station 52+00, the Easterly line of said strip of land crossing the Northerly and Southerly lines of said property approximately opposite stations 47+26 and 51+26 respectively.

**AND FURTHER SUBJECT TO:**

1. Any taxes for 2003-2004 when due or payable.
2. Any Right of Redemption as provided by law.
3. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
4. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property. Recorded, March 20, 1952, Volume 253, Page 523, Deed Records of Klamath County, Oregon.
5. An easement created by instrument, subject to the terms and provisions thereof, dated June 27, 1963, recorded August 7, 1963, Volume 347, Page 221, Deed Records of Klamath County, Oregon in favor of Cascade Natural Gas Corporation for gas pipeline.
6. Indenture of Access, subject to the terms and provisions thereof, dated September 14, 1965, recorded September 20, 1965 Volume M65, Page 1780, Microfilm Records of Klamath County, Oregon from State of Oregon, by and through its State Highway Commission.
7. Subject to a discrepancy in boundary lines as evidenced by Survey No. 3017 filed in Klamath County Surveyors Office. Said discrepancy is also indicated by Bargain and Sale Deed from John H. Speck and C. Joyce Speck to M. Dean Gardner, Inc., a California corporation recorded March 8, 1982, in Volume M82, Page 2909, Microfilm Records of Klamath County, Oregon in which the description is different than that described 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 30.930."**

ODVA Account Number

IN WITNESS WHEREOF, the State of Oregon, acting by and through the Director of Veterans' Affairs (Grantor), has caused these presents to be executed August 4, 2003, at Salem, Oregon. The foregoing recital of consideration is true as I verily believe.

DIRECTOR OF VETERANS' AFFAIRS - Grantor

By: Joyce D. Hlopek  
Joyce D. Hlopek, Accounts Services Manager

STATE OF OREGON )  
                                  ) ss.  
County of Marion )

On August 4, 2003,

this instrument was acknowledged before me by the above-named Joyce D. Hlopek, Accounts Services Manager, who personally appeared, and, being first duly sworn, did say that she is authorized to sign the foregoing document on behalf of the Oregon Department of Veterans' Affairs by authority of its Director.

Before me: Arlene E Baker  
Notary Public for Oregon

