

MTT-63079 PS



Vol M03 Page 79036

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:  
JAMES H. NEWNHAM  
2946 PATTERSON  
KLAMATH FALLS, OR 97603

State of Oregon, County of Klamath  
 Recorded 10/24/03 11:17a. m  
 Vol M03 Pg 79036-37  
 Linda Smith, County Clerk  
 Fee \$ 26.00 # of Pgs 2

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

JAMES H. NEWNHAM  
2946 PATTERSON  
KLAMATH FALLS, OR 97603

Escrow No. MT63079-PS

### WARRANTY DEED

ELLA BETH YADEN, Grantor(s) hereby grant, bargain, sell, warrant and convey to JAMES H. NEWNHAM and EVELYN NEWNHAM, husband and wife, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of KLAMATH and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

Grantor is lawfully seized in fee simple on the above granted premises and SUBJECT TO: all those items of record if any, as of the date of this deed and those shown below, if any:

and the 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 for this conveyance is \$12,000.00.

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.

Dated this 22nd day of October, 2003

x Ella Beth Yaden  
 ELLA BETH YADEN

State of Oregon  
 County of KLAMATH

This instrument was acknowledged before me on October 22, 2003 by ELLA BETH YADEN.

Pamela J Spencer  
 (Notary Public for Oregon)

My commission expires 8/16/2004



26.00

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A parcel of land situated in Lots 1, 2 and 3 of HOMELAND TRACTS NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, being in the SW 1/4 SW 1/4 of Section 1, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch rebar on the South line of said Lot 1 from which the Southeast corner of said Lot 1 bears North 87 degrees 46' East 135.04 feet; thence along the lines of the excepted portions of that tract of land described in Deed Volume M86, page 1202, Microfilm Records of Klamath County, Oregon, in said Lots 1, 2, and 3, North 00 degrees 51' 51" West (North 00 degrees 54' West by said Deed Volume) 110.20 feet to a 5/8 inch iron pin, North 87 degrees 46' 00" East 135.04 feet to a 5/8" iron pin on the Easterly line of said Lot 2, North 89 degrees 55' 29" West, 200.00 feet and North 00 degrees 51' 51" West 171.41 feet (171.5 feet by said Deed Volume) to a point on the North line of said Lot 3, thence North 89 degrees 55' 29" West 23.67 feet to a 5/8 inch iron pin; thence South 01 degrees 06' 00" East 290.60 feet to a point on the South line of said Lot 1; thence North 87 degrees 46' 00" East 87.47 feet to the point of beginning, and with bearings based on the South line of said Lot 1 as being North 87 degrees 46' 00" East, plat record.

Together with an appurtenant easement described in Volume 324 at page 50, Deed Records of Klamath County, Oregon, over and across an adjoining parcel, more particularly described as follows:

Reserving unto the grantor, their heirs and grantees forever for the benefit of and as an appurtenance to grantors' remaining property and every part and parcel thereof an easement for an underground irrigation line across the Northerly six feet of the premises herein granted, together with the right of ingress and egress for the purpose of constructing, maintaining, cleaning, repairing and replacing said line.