

MTZ-65417uv

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RECORDING COVER SHEET

THIS COVER SHEET HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER SHEET DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

State of Oregon, County of Klamath
Recorded 11/10/04 3:12 p m
Vol M04 Pg 77646-48
Linda Smith, County Clerk
Fee \$ 31⁰⁰ # of Pgs 3

After Recording Return To:

Randall L. Turner
18625 Brazil Rd.
Malin OR 97632

1. Name(s) of the Transaction(s):

Bargain and Sale Deed

2. Direct Party (Grantor):

Samuel Winfred Prescott who
acquired Title as Samuel Winfred
Prescott

3. Indirect Party (Grantee):

Randall L. Turner and Bonnie
S. Turner

4. True and Actual Consideration Paid:

149,220.00

5. Legal Description:

See attached

3100
am

BARGAIN AND SALE DEED

WINFRED /WHO ACQUIRED TITLE AS SAMUEL WINIFRED PRESCOTT
 SAMUEL WINIFRED PRESCOTT, Grantor, conveys to RANDALL L. TURNER and BONNIE S.
 TURNER, husband and wife, grantees, the following described real property in Klamath County, Oregon:

Parcel 1 of Land Partition 21-04, situated in the SE¼ and the SW¼ of Section 5, Township 41 South, Range 12 East, of the Willamette Meridian, Klamath County, Oregon;

which property is more particularly described as follows:

All of the Northeast one-quarter of the Southeast one-quarter and that portion of the West one-half of the Southeast one-quarter lying North and above the Shasta View Low Line Canal, all in Section 5 of T41S, R12E, W.M.

AND

All that part of the North one-half of the Southwest one-quarter of Section 5, Township 41 South, Range 12 East of the Willamette Meridian, lying Northerly of and from the North boundary line of the line of right-of-way of lowland ditch of Shasta View Irrigation District.

EXCEPTING THEREFROM that portion of the Northeast one-quarter of the Southeast one-quarter of Section 5, township 41 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon being more particularly described as follows:

Beginning at a point being that certain point of intersection of the centerline of Transformer Road with the East line of Section 5; thence South 91 yards to a point; thence West 89 yards to a point; thence North 91 yards to the Center of Transformer Road; thence East 89 yards to the point of beginning.

ALSO EXCEPTING THEREFROM:

Beginning at a point 30 feet East and 30 feet South of the quarter section corner on the West line of Section 5 and running thence South 0 degrees 15 minutes East along the East line of the Poe Valley Road 513.2 feet to the North line of the Shasta View Irrigation District Ditch; thence South 81 degrees 41 minutes East 506.0 feet to a point on the North line the Shasta View Irrigation District Ditch; thence North 0 degrees 42 minutes West 591.3 feet to a point on the South line of the County Road; thence South 89 degrees 40 minutes West 495.2 feet to the point of beginning.

ALSO EXCEPTING THEREFROM:

Beginning at a 5/8 inch iron pin with TRU-LINE SURVEYING, INC. plastic cap on the east line of Section 5, T14S, R12E, W.M. from which the East quarter corner bears North 00 degrees 09 minutes 23 seconds East 273.00 feet; thence South 98 degrees 39 minutes 45 seconds West 267.00 feet to a 5/8 inch iron pin with TRU-LINE SURVEYING, INC. plastic cap; thence North 00 degrees 09 minutes 23 seconds East 273.00 feet to a railroad spike stamped O.L.S. 2442 set on the east-west centerline of said Section 5; thence South 89 degrees 39 minutes 45 seconds West along said centerline 163.02 feet to a railroad spike stamped O.L.S. 2442; thence South 00 degrees 09 minutes 23 seconds West 526.29 feet to a 5/8 inch iron pin with TRU-LINE SURVEYING, INC. plastic cap; thence South 89 degrees 50 minutes 37 seconds East 430.00 feet to the East line of said Section 5 and a 5/8 inch iron pin with TRU-LINE SURVEYING, INC. plastic cap; thence North 00 degrees

09 minutes 23 seconds East along said east line 257.00 feet to the point of beginning, which is "parcel 2" as shown on Land Partition 21-04 Survey by Tru-Line Surveying, Inc. filed October 12, 2004.

AND ALSO EXCEPTING that portion lying within Transformer Road.

Subject to and excepting:

1. Any additional tax that may be levied due to the land being disqualified for special assessment, including penalties;
2. Statutory powers of the Shasta View Irrigation District, including the power of assessment and easements in favor thereof;
3. The rights of the public in and to any portion of the premises lying within the limits of streets, roads or highways;
4. Easement in favor of the California Oregon Power Company, including the terms and provisions thereof recorded at vol. 230, page 237, Deed Records, Klamath county, Oregon;
5. Easement in favor of Shasta View Irrigation District, including the terms and provisions thereof recorded at M73, page 10496, microfilm records of Klamath County, Oregon;
6. Restrictive covenants, including the terms and provisions thereof recorded at M04, page 68981, microfilm records of Klamath County, Oregon.

The true and actual consideration for this conveyance is \$149,220.00.

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.

~~Until~~ a change is requested, all tax statements shall be sent to:

Randall Turner
18625 Pracht Rd
Malin, OR 97632

DATED this 10 day of November, 2004.

Samuel Winfred Prescott
 Samuel Winfred Prescott
 WINFRED

STATE OF OREGON)
) ss.
 County of Klamath)

The foregoing instrument was acknowledged before me this 10 day of November, 2004 by Samuel Winfred Prescott.

WINFRED

Lisa Weatherby
 Notary Public for Oregon

