

2016-013595

Klamath County, Oregon



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12/21/2016 01:06:55 PM

Fee: \$52.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That we Robert A.

Pyle and Dorothy J. Pyle, for and in consideration of the sum of ^{RAP 098} 41,250.00 have bargained and sold and by these presents do bargain, sell and convey unto Samuel S. Shaw and Daisey M. Shaw, husband and wife, for the purpose of creating an estate by the entirety in and to an undivided one-half interest in and to the following described real property, and unto James A. Bingham and Bernadine K. Bingham, husband and wife, for the purpose of creating an estate by the entirety in and to an undivided one-half interest in and to the following described real property situated within Klamath County, State of Oregon, to-wit:

A piece or parcel of land situate in the South half of the Southwest quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section 30, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and more particularly described as follows:

Commencing at the point of intersection of the section line marking the Southerly boundary of the said Section 30, with a line parallel with and fifty (50.00) feet distant at right angles Southeasterly from the center line of the Klamath Falls-Midland section of the Oregon State Highway, as the same is now located and constructed, from which point of intersection the Southwesterly corner of the said Section 30 bears, South $89^{\circ} 42\frac{1}{2}'$ West, 827.1 feet, more or less distant, and running thence North $36^{\circ} 49\frac{1}{2}'$ East, along said parallel line 337.62 feet to the true point of beginning of this description; thence South $53^{\circ} 10\frac{1}{2}'$ East, 250.0 feet; thence South $36^{\circ} 49\frac{1}{2}'$ West, and parallel with the said center line of Klamath Falls-Midland section of the Oregon State Highway 148.43 feet, more or less, to a point in the said section line marking the Southerly boundary of the said Section 30; thence South $89^{\circ} 42\frac{1}{2}'$ West, along said section line 275.9 feet, more or less, to its intersection with a line parallel with and eighty (80.00) feet distant at right angles Southeasterly from the said center line of the Klamath Falls-Midland section of the Oregon State Highway; thence North $36^{\circ} 42\frac{1}{2}'$ East along said parallel line 259.37 feet; thence North

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 Send Tax statements to
 Sam & Ronita Shaw
 4849 San Francisco Dr. N.E.
 Spac 27
 Salem 97305

53° 10 $\frac{1}{2}$ ' West, 30.0 feet, more or less, to a point in the said line parallel with and fifty (50.00) feet distant at right angles Southeasterly from the said center line of the Klamath Falls-Midland section of the Oregon State Highway; thence North 36° 49 $\frac{1}{2}$ ' East, along said last mentioned parallel line 55.55 feet to the said true point of beginning; EXCEPTING therefrom, that portion of said property lying within the limits of roads and highways.

TO HAVE AND TO HOLD the above granted premises unto the grantees and unto their heirs and assigns forever, and the grantors do covenant with the grantees that they are lawfully seised of a merchantable fee simple title to the above granted premises; that said premises are free of all liens and encumbrances excepting; (1) The premises herein are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District. (2) Acceptance Agreement, including the terms and provisions thereof, between Alex Davis and the United States, recorded March 24, 1915 in Volume 43, page 409, Deed Records of Klamath County, Oregon, pertaining to the Reclamation Extension Act. (3) Right of way, created by instrument, including the terms and provisions thereof; dated April 28, 1941, recorded September 12, 1941 in Volume 141, page 71, Deed Records of Klamath County, Oregon, in favor of the California Oregon Power Company, a California corporation for a distribution power line. Affects no location given. (4) Reservations as contained in deed recorded May 11, 1956 in volume 283, page 107 records of Klamath County, Oregon, to wit: "Reserving unto the grantors, their heirs and assigns, an easement for irrigation ditch, 10 feet in width, along the South property line of the premises herein conveyed, for use in the irrigation of the farm lands retained by the grantors. The grantors covenant and agree and the grantees by their acceptance of this deed covenant and agree that the grantors and grantees shall share the costs in equal proportions for the construction

of 100 feet of 24 inch conduit to be installed over said 10 foot strip. The grantors to cause said conduit to be constructed. This covenant shall be construed to be a covenant running with said lands and upon discontinuation of the use of said ditch for a continuous period of one year the easement so preserved by the grantors shall cease and terminate and the land affected thereby shall vest in the grantees, their heirs and assigns without further servitude."

(5) Memorandum of Lease, including the terms and provisions thereof, between Robert A. Pyle and Dorothy J. Pyle, his wife, Lessor and Shell Oil Company, a corporation, Lessee, dated April 24, 1962, recorded April 30, 1962 in volume 337, page 171, Deed Records of Klamath County, Oregon. The grantors do further covenant that they will forever warrant and defend the above granted premises unto the grantees their heirs and assigns against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF the grantors have hereunto set their hands and seals this 15 day of March, 1976.

Robert A. Pyle (SEAL)

Dorothy J. Pyle (SEAL)

STATE OF OREGON

County of Klamath

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On this 15 day of March, 1976, before me personally appeared the within named Robert A. Pyle and Dorothy J. Pyle, husband and wife, and they did then and there acknowledge that they executed the foregoing instrument.

D. Z. Cooper
Notary Public for Oregon

My Commission Expires Jan. 31, 1977

