

STN. 94009218CA

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JUL 20 2004

WATER RESOURCES
WESTERN REGION

INSTRUMENT NO.

9420268

9600636

WARRANTY DEED

*** DBA, KUSHLAN HOMES, Grantor, hereby conveys, grants and warrants to person, Nolan C. Donley, aka N. C. Donley, a single person, whose address is 1719 Spruce St Caldwell ID for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit: *** see below

See Exhibit "A" attached hereto, and by this reference made a part hereof.

TOGETHER WITH an undivided 1/3 interest in Grantor's right, title and interest in and to that certain Easement between Santiago Armenta and Priscilla Arments, husband and wife, and Rex Philson and Barbara Philson, husband and wife, which grants an easement for the purpose of establishing a main line pipe for conveying irrigation water to the premises which crosses through property owned by the Philsons.

ALSO TOGETHER WITH an undivided 1/3 interest in Grantor's right, title and interest in and to that certain Easement to maintain said pump between Armenta and Tobias Bender and Bardella Bender, husband and wife, dated the 13th day of October, 1977, and recorded on the 15th day of November, 1977, in the office of the Canyon County Recorder as Instrument No. 814742, which said Easement grants the use of a roadway which adjoins property owned by the Benders thereby allowing access.

ALSO TOGETHER WITH an undivided 1/3 interest in Grantor's right, title and interest and and to that certain Easement for ingress, egress and utilities between Clarence D. Cook and Grantor, recorded 6/10/94 & 6/15/94, 1994, as Instrument #9417802 & 9417395 records of Canyon County, Idaho.

ALSO TOGETHER WITH an 28 foot easement for ingress, egress and utilities described as the north 28.00 feet of the east 68.09 feet of the said S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 35, Township 4 North, Range 4 West of the Boise Meridian.

SUBJECT TO taxes and assessments for the year 1994 and all subsequent years, together with any and all

WARRANTY DEED-1

*** RICHARD E. KUSHLAN AND LORRAINE S. KUSHLAN, husband and wife

existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantee that he is the owner in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that he will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 1 day of July 1994.

Nolan C. Donley
Nolan C. Donley

STATE OF IDAHO)
County of Canyon) :ss

On this 1st day of July, in the year 1994, before me, Carleen Acree, a Notary Public, personally appeared NOLAN C. DONLEY, aka N. C. DONLEY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Carleen Acree
Notary Public for Idaho
Commission expires: 3-9-98

07/wcg

WARRANTY DEED-2

EXHIBIT "A"

PARCEL I:

This parcel is a portion of the South Half North Half Northeast Quarter Southwest Quarter of Section 35, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter Southwest Quarter of said Section 35; thence
 South 0 degrees 02'14" East along the East boundary of said Northeast Quarter Southwest Quarter a distance of 331.43 feet to the Northeast corner of said South Half North North Half Northeast Quarter Southwest Quarter; thence
 North 89 degrees 57'07" West along the North boundary of said South Half North North Half Northeast Quarter Southwest Quarter a distance of 262.85 feet to the TRUE POINT OF BEGINNING; thence
 South 0 degrees 02'14" East parallel with said East boundary a distance of 331.46 feet to a point on the South boundary of said South Half North North Half Northeast Quarter Southwest Quarter; thence
 North 89 degrees 57'25" West along said South boundary a distance of 394.24 feet; thence
 North 0 degrees 02'14" West parallel with said East boundary a distance of 331.49 feet to a point on the said North boundary of said South Half North North Half Northeast Quarter Southwest Quarter; thence
 South 89 degrees 57'07" East along said North boundary a distance of 394.24 feet to the TRUE POINT OF BEGINNING.

PARCEL II:

A 28.00 foot ingress-egress easement described as the North 28.00 feet of the East 657.09 feet of the said South Half North Half Northeast Quarter Southwest Quarter of said Section 35, Township 4 North, Range 4 West of the Boise Meridian.

94009218

RECORDED

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RECORDER
 CANYON COUNTY RECORDER
[Signature]
 PIONEER — CALDWELL

REQUEST TYPE *Decd* FEE *9.00*

REQUEST TYPE *Decd* FEE *9.00*
 STEWART - NAMP

CANYON COUNTY RECORDER
[Signature]

94 JUL 1 PM 4 20

RECORDED

9420268