

66-01

## DEED AND AGREEMENT

WHEREAS, by mortgage dated September 25, 1958, recorded September 26, 1958, in Book 185 at page 342 of Mortgage Records of Klamath County, Oregon, F. L. Hales and Helen D. Hales, husband and wife, then being the owners of the real property hereafter described, did grant to First National Bank of Oregon, a national banking association, a first and prior lien on and against said real property as security for the indebtedness therein described; and

WHEREAS, said property was thereafter sold to Martin R. Halnan and Shirley H. Halnan, husband and wife, as a part of the consideration for which said Martin R. Halnan, et ux, did assume and agree to pay the promissory note and mortgage to bank to which reference is hereinabove made, and did execute and deliver to F. L. Hales, et ux, a trust deed on and covering said real property, recorded August 21, 1963 in Book 218 at page 645 of Mortgage Records of Klamath County, Oregon; and

WHEREAS, said Martin R. Halnan, et ux, became unable to meet their obligations to F. L. Hales, et ux, and did, in consideration for a release of their obligation to F. L. Hales, et ux, agree to reconvey said property to them; but by error of the scrivener the document to accomplish said reconveyance named bank as grantee and described the mortgage to bank as the debt in lieu of the foreclosure of which said deed was to be given, which deed was recorded August 19, 1964 in Book 355 at page 412 of Deed Records of Klamath County; and

WHEREAS, it is the intention of bank, grantor herein, and F. L. Hales and Helen D. Hales, husband and wife, grantees herein, that the fee simple title to said real property be in the grantees as tenants by the entirety subject to the mortgage to bank dated September 25, 1958 and recorded September 26, 1958 in Book 185 at page 342 of Records of Mortgages of Klamath County, which mortgage shall be a first and prior lien on and against said real property;

NOW, THEREFORE, in consideration of the premises, First National Bank of Oregon, a national banking association, does grant, bargain, sell and convey unto F. L. Hales and Helen D. Hales, husband and wife, all of its right, title

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12501

and interest in and to the following described real property, excepting only its security interest as evidenced by said mortgage dated September 25, 1958, and recorded September 26, 1958, in Book 185 at page 342 of Records of Mortgages of Klamath County, to-wit:

Lot 3 of Block 6, ORIGINAL TOWN of Klamath Falls, Oregon, formerly Linkville, as shown on the official plat thereof on record with the County Clerk of Klamath County, Oregon, LESS the Northeasterly 6 feet thereof.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same unto the grantees, their heirs, administrators, executors and assigns forever. This conveyance by bank is without warranty or representation by bank.

Done by order of the Board of Directors with the seal of the association this 22nd day of November, 1965.

FIRST NATIONAL BANK OF OREGON,  
a national banking association

By E. A. McNabb

By D. H. Boyes

The conveyance hereinabove made by bank to us is accepted by us for the purpose and upon the condition made, to-wit: that the title to the real property described shall be in us in fee simple as tenants by the entirety subject to a first and prior lien to bank evidenced by that certain mortgage dated September 25, 1958 and recorded September 26, 1958, in Book 185 at page 342 of Records of Mortgages of Klamath County, Oregon.

F. L. Hales  
F. L. Hales  
Helen D. Hales  
Helen D. Hales

STATE OF OREGON }  
County of Multnomah } ss.

On this 22nd day of November, 1965, before me appeared E. A. McNabb

and D. H. Boyes, both to me



personally known who, being duly sworn, did say that he, the said  
E. A. McNabb is Vice President, and  
 he the said D. H. Boyes is Assistant Vice President  
 of the within named association, that the seal affixed to the instrument is  
 the corporate seal of said association and that the instrument was signed and  
 sealed on behalf of the association by authority of its Board of Directors,  
 and E.A. McNabb and D.H. Boyes  
 acknowledge said instrument to be the free act and deed of said association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this day  
 and year last above written.

*[Signature]*  
 Notary Public for Oregon  
 My commission expires 10-15-66

STATE OF OREGON }  
 County of Klamath } ss.

On this 16th day of December, 1966, before me appeared F. L. Hales  
 and Helen D. Hales, husband and wife, to me personally known, who executed the  
 within instrument and acknowledged to me that they executed the same freely and  
 voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this day  
 and year last above written.

*[Signature]*  
 Notary Public for Oregon  
 My commission expires July 5, 1969

STATE OF OREGON }  
 County of Klamath } ss.

Filed for record at request of:

Oregon Title Insurance  
 of this 16 day of December, A.D. 1966  
 at 4:18 P.M. and duly  
 recorded M-66 of deed  
 for 12500

4.50  
*[Signature]*

Return - J.L. Hales  
 c/o J.C. Kenney Co  
 City -