

28-391 50902

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WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT Tom M. Kerns and Joyce A. Kerns, husband and wife, hereinafter known as grantors, for the consideration hereinafter stated have bargained and sold, and by these presents do grant, bargain, sell and convey unto David B. Schwartz and Pauline E. Schwartz, husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

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Tract 13, YALTA GARDENS.

Subject to: Acreage and use limitations under provisions of the United States Statutes and regulations issued thereunder; Liens and assessments of Klamath Project and Enterprise Irrigation District, and regulations, contracts, easements, and water and irrigation rights in connection therewith; Reservations and restrictions contained in the dedication of Yalta Gardens as to roads, irrigation laterals, underground irrigation system and set back lines, and an easement over all lots for future sewers or utilities along the back line of all lots; Rules, regulations, liens and assessments of South Suburban District; Agreement, including the terms and provisions thereof, recorded August 5, 1946, in Volume 193 at page 348, Deed Records of Klamath County, Oregon; Conditions and restrictions as set forth in deed recorded September 6, 1946, in Volume 195 at page 165, Deed Records of Klamath County, Oregon.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$16,500.00. However, the actual consideration includes either property which is part of the consideration. (Strike out the above when not applicable)

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said grantees as on estate by the entirety. And the said grantors do hereby covenant, to and with the said grantees, and their assigns, that they are the owner s in fee simple of said premises; that they are free from all incumbrances, except those above set forth, and that they will warrant and defend the same from all lawful claims whatsoever, except those above set forth.

IN WITNESS WHEREOF, they have hereunto set their hands and seals this 22th day of April, 1971

Tom M. Kerns (SEAL)

(SEAL)

Joyce A. Kerns (SEAL)

(SEAL)

STATE OF OREGON, County of Klamath, ss. April 22, 1971

Personally appeared the above named Tom M. Kerns and Joyce A. Kerns, husband and wife,

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Gwendolyn R. Schlumbohn
Notary Public for Oregon
My commission expires 7-21-73

After recording return to:

Walker Realty
430 S. 5th St.
City

From the Office of
GANONG, GANONG & GORDON
First Federal Building
Klamath Falls, Oregon 97601

STATE OF OREGON,

County of Klamath ss.

I certify that the within instrument was received for record on the 22 day of April 1971, at 11:07 o'clock P.M., and recorded in book M71 on page 3532 Record of Deeds of said County.

Witness my hand and seal of County affixed.

34 By [Signature] County Clerk-Recorder
Fee \$1.50 Deputy

APR 22 4 07 PM 1971