

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT Harry Sharp and Doris E. Sharp, 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 Kenneth Dale Smith and Virginia Lee Smith, husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

A parcel of land lying in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36, Township 38 South, Range 9 East of the Willamette Meridian, described as follows:
Beginning at a point on the East line of McClellan Drive 253.43 feet South 00°16' East from the Northeast corner of the recorded plat of First Addition of Moyina; thence North 89°44' East 120 feet; thence South 00°16' East 100 feet; thence South 89°44' West 120 feet to the East line of McClellan Drive; thence North 00°16' West 100 feet to the point of beginning.

Subject to: Taxes for fiscal year commencing July 1, 1971, which are now a lien but not yet payable; Rules, regulations, liens and assessments of South Suburban Sanitary District; Easement recorded by instrument recorded April 5, 1940, in Vol. 128 at page 267 in favor of California Oregon Power Co.; Easement created by instrument recorded October 8, 1965, in M-65 at page 2454 in favor of First Addition to Moyina Improvement District; Easement created by instrument recorded June 5, 1967, in M-67 at page 4178 in favor of California Pacific Utilities Company; All contracts, water rights, proceedings, taxes and assessments relating to the First Addition Moyina Improvement District, and all rights of way for roads, ditches, canals and conduits if any there may be.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 26,000.00
~~However, the actual consideration includes other 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 an estate by the entirety. And the said grantors do hereby covenant, to and with the said grantees, and their assigns, that they are the owners 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 hand^s and seal^s this 11th day of August, 1971.

(SEAL) *Harry Sharp* (SEAL)
(SEAL) *Doris E. Sharp* (SEAL)

STATE OF OREGON, County of Klamath) ss. August 11, 1971
Personally appeared the above named Harry Sharp and Doris E. Sharp, husband and wife,

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

Before me:

James D. Bocchi
Notary Public for Oregon
My commission expires 10-25-74

After recording return to:
1st Federal
540 Main
City

STATE OF OREGON,
County of Klamath) ss.

I certify that the within instrument was received for record on the 11th day of August 1971, at 4:20 o'clock PM, and recorded in book M 71 on page 8440. Record of Deeds of said County.

Witness my hand and seal of County affixed.

WM. D. MILNE
By *Hazel Craig* County Clerk-Recorder
Deputy
FEE \$1.50

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