

2# 100012 TA-28 2577

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MIL Page 4538

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT A. F. Herringshaw and Eileen Herringshaw,

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 George E. Miller and Gladys J. Miller, husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

APR 20 10 46 AM 1972

Beginning at a point 30 feet West of the Southeast corner of the SE $\frac{1}{4}$  of Section 12, Township 40 South, Range 9 East of the Willamette Meridian, where the Westerly right of way line of the Dalles-California Highway intersects with the Southerly line of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 12; thence North along the Westerly right of way line of the Dalles-California Highway a distance of 180 feet; thence West at right angles to a point in the Easterly right of way line of the Modoc Northern Railway Company right of way; thence in a Southeasterly direction along the Easterly right of way line of said Railroad to a point in the Southerly line of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 12; thence East to the point of beginning. (12)

Subject to: Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District; Acceptance of terms and conditions of the Reclamation Extension Act by Theodore N. Case, recorded November 14, 1914 in Book 43 at page 54, Deed Records of Klamath County, Oregon; Easement created by instrument recorded June 18, 1923 in Book 61 at page 238, Deed Records, in favor of United States of America for drainage ditch over SE $\frac{1}{4}$ NE $\frac{1}{4}$  and SW $\frac{1}{4}$ NE $\frac{1}{4}$ .

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 22,700.00. 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 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 hand and seal s this 18th day of April, 1972

(SEAL) A. F. Herringshaw (SEAL)  
(SEAL) Eileen Herringshaw (SEAL)

STATE OF OREGON, County of Klamath ) ss. April 27, 1972  
Personally appeared the above named A. F. Herringshaw and Eileen Herringshaw, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Donald V. Brown  
Notary Public for Oregon.  
My commission expires 11-12-74

After recording return to:

First Fed 54L  
2943 806th

STATE OF OREGON,  
County of Klamath } ss.

I certify that the within instrument was received for record on the 28 day of April 1972 at 10:46 o'clock A. M., and recorded in book M-72 on page 4538 Record of Deeds of said County.

From the Office of  
GANONG, GORDON & SISEMORE  
538 Main Street  
Klamath Falls, Oregon 97601

Witness my hand and seal of County affixed.  
Wm. D. Milne

By Andy Bick County Clerk-Recorder  
Deputy

Fee 2.00