

28-2321

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT BOBBY MORGAN and ALICE MORGAN

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 E. MIDKIFF and JANET C. MIDKIFF, husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

(10) A portion of Government lot 3, Sec. 8, Twp. 40 S.R. 10 E.W.M., more particularly described as follows:

Beginning at a 5/8" iron pin which is the Northeast corner of the SE 1/4 of SE 1/4 of Sec. 8 also on the East line of Section 8; thence South 89°59'30" West (Record Survey #1580) 2325.7 feet (U.S.B.R. Record Survey North 89°38' West) to a 1/2" iron pin which also intersects the Westerly right-of-way of the G Canal, this being the true point of beginning;

Thence South 89°59'30" West 439.6 feet to a 1/2" iron pin which intersects the Easterly right-of-way of the Great Northern Railroad; thence South 16°45' East 408.36 feet (being the long cord to a 1° curve right) along said right-of-way; thence South 14°42'29" East 717.81 feet along said Easterly railroad right-of-way to a 1/2" iron pin which is also the intersection of the Westerly right-of-way of G Canal (K.I.D.); thence along the Westerly right-of-way of said G Canal to the point of beginning.

Subject to contract and/or lien for irrigation and/or drainage; to the terms and provisions of that certain instrument recorded July 24, 1970 in Vol. M-70 at page 6187 as Notice to persons intending to Plat Lands with the Klamath Basin Improvement District; rights of the public in and to any portion of said premises lying within the limits of roads and highways; easements and rights of way of record or apparent on the land; and to mortgage being recorded March 2, 1972, which mortgage grantees expressly assume and agree to pay as the same becomes due.

Together with a perpetual easement for ingress and egress across the Northerly 20 feet of Government Lot 3, Section 8, Township 40 South, Range 10 E.W.M.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 26,500.00.  
~~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 as 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 2nd day of March 19 72

(SEAL)

(SEAL)

STATE OF OREGON, County of Klamath ) ss. March 2, 19 72  
 Personally appeared the above named Bobby Morgan and Alice Morgan

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

Before me:

*Andrew A. Silani*

Notary Public for Oregon  
 My commission expires March 13, 1974

After recording return to:  
 Mr. and Mrs. David E. Midkiff

Rt. 1, Box 668 Hill Road  
 Klamath Falls, Oregon 97601

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

STATE OF OREGON,

County of KLAMATH

ss.

I certify that the within instrument was received for record on the 19th day of May 19 72, at 3:56 o'clock P.M. and recorded in book 172 on page 5394. Record of Deeds of said County.

Witness my hand and seal of County affixed.

WM. D. MILNE

By *Hazel Duval* County Clerk—Recorder

FEE \$2.00

Deputy

MAY 19 13 44 PM 1972