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28-3938

Vol. 72

14032

## WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT DANIEL J. DUFF and DORIS DUFF, 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 S. SPENCER and JOYCE A. SPENCER,

husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

Lot 3 in Block 2 Tract 1008, known as BANYON PARK.

Subject to: Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District; Regulations, including levies, liens, assessments, rights of way and easements of the South Suburban Sanitary District; Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Basin Improvement District; and subject 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 within the Klamath Basin Improvement District"; Restrictions, but omitting restrictions, if any, based on race, color, religion or national origin as shown on the recorded plat of Banyon Park Sub-division; Conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument recorded Dec. 30, 1970 in Book M-70 at page 11421, Microfilm Records; Easements and rights of way of record and those apparent on the land, if any.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 21,500.00. 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 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 5th day of December, 19 72

(SEAL) *Daniel J. Duff* (SEAL)  
(SEAL) *Doris Duff* (SEAL)

STATE OF OREGON, County of Klamath, ss. December 5, 19 72  
Personally appeared the above named Daniel J. Duff and Doris Duff, 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:

*First Fed*  
*540 Main*  
*at*

From the Office of  
GANONG SISEMORE & ZAMSKY  
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 7th day of December 19 72, at 10:48 o'clock A.M., and recorded in book M 72 on page 14032 Record of Deeds of said County.

Witness my hand and seal of County affixed.

WM. D. MILNE  
By *Hazel Dragle* County Clerk-Recorder  
Deputy

FEE \$ 2.00

DEC 7 10 49 AM 1972