

1967

28-4634
 KNOW ALL MEN BY THESE PRESENTS, That Richard L. Hubbard and Sharon E. Hubbard, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Roy R. Smith and Audrey J. Smith, husband and wife hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of said grantees, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of Klamath, State of Oregon, to-wit:

Lot 4 in Block 9, FIRST ADDITION TO CYPRESS VILLA,
 Klamath County, Oregon.

Subject, however, to the following:

1. Regulations, including levies, assessments, water and (for continuation of this deed see reverse side)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their assigns and the heirs of such survivor, forever; provided that the grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.

And the grantor above named hereby covenants to and with the above named grantees, their heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, that the said premises are free from all encumbrances except as noted of record as of the date of this deed and those apparent upon the land, if any, as of the date of this deed

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 24,500.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural, the masculine includes the feminine and the neuter and, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on the 28th day of March 28th, 1973; if the grantor is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its board of directors.

Richard L. Hubbard

Sharon E. Hubbard

(If executed by a corporation,
 affix corporate seal)

STATE OF OREGON,

County of Klamath

March 28th, 1973

Personally appeared the above named

Richard L. Hubbard and

Sharon E. Hubbard

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

Notary Public for Oregon

My commission expires June 10, 1975

STATE OF OREGON, County of ss.

Personally appeared

who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
 My commission expires:

(OFFICIAL SEAL)

NOTE—The sentence between the symbols Ⓢ, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED

(SURVIVORSHIP)

TO

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

Mr. Roy Smith
 3806 Pine Grove Rd.
 Klamath Falls, Or

(DON'T USE THIS
 SPACE; RESERVED
 FOR RECORDING
 LABEL IN COUN-
 TIES WHERE
 USED.)

STATE OF OREGON,

County of ss.

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book on page Record of Deeds of said County.

Witness my hand and seal of County affixed.

Title.

By Deputy.

irrigation rights and easements for ditches and canals, of Klamath Irrigation District.

2. Regulations, including levies, liens, assessments, rights of way and easements of the South Suburban Sanitary District.

3. Perpetual Easement, including the terms and provisions thereof, for 16 foot roadway along the North line of the SW 1/4 SW 1/4 of Section 12 as disclosed by instrument recorded in Volume 179 at page 493 and in Volume 225 at page 27.

4. Reservations and conditions, including the terms and provisions thereof, as disclosed by Plat and in the Dedication of said addition.

5. Conditions imposed by the Klamath Irrigation District as shown on the plat and in the dedication of First Addition to Cypress Villa as follows:

- (a) The owners of the land in this subdivision, their heirs and assigns in whom title may be vested, shall always at their own expense properly install maintain and operate such irrigation system.
- (b) The Klamath Irrigation District, its successors and assigns and the United States, a person, firm or corporation operating the irrigation works of the Klamath Irrigation District shall never be liable for damage caused by improper construction, operation or care of such system or for lack of sufficient water for irrigation.
- (c) The liability of the operators of the Klamath Irrigation District shall be limited to the delivery of water at established outlets of the USBR Canal.
- (d) The lands will always be subject to irrigation assessments whether or not irrigation water is furnished.

Grantees assume and agree to pay the present existing Trust Deed, including the terms and provisions thereof, dated July 29, 1971, recorded August 10, 1971 in Book M-71 at page 8063, Microfilm Records, given to secure the payment of \$20,500.00, with interest thereon and such future advances as may be provided therein, executed by Richard L. Hubbard and Sharon E. Hubbard, husband and wife, to William Ganong, Jr., trustee for beneficiary First Federal Savings and Loan Association of Klamath Falls, Oregon, a corporation, the unpaid principal balance of which is \$20,075.87

STATE OF OREGON, |
County of Klamath |

Filed for record at request of,

Transamerica Title Ins. Co.

on this 30 day of March A. D. 19 73

at 4:05 o'clock P. M., and is

recorded in Vol. M73 of Deeds

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Wm D. MILNE, County Clerk

By Cynthia [Signature] Deputy

Fee \$4.00