

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT WILLIAM FLESHER and ANN HOOK FLESHER, also known as Ann E. Flesher, 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 CHARLES G. DUNCAN and LEONE M. DUNCAN, husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

PARCEL 1: The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 33, Township 40 South, Range 11 East of the Willamette Meridian.

PARCEL 2: Lot 1 (NE $\frac{1}{4}$ of NE $\frac{1}{4}$); The SE $\frac{1}{4}$ of NE $\frac{1}{4}$, LESS approximately 6 acres conveyed by deed dated September 5, 1961, recorded in Volume 332 at page 286 to V. L. Pope, Deed Records in Klamath County, Oregon, as follows: Beginning on the East and West center line of Section 4, Township 40 South, Range 11 East of the Willamette Meridian, at a point 640 feet East of the Southwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section; thence West 640 feet; thence North 500 feet; thence East 360 feet to the irrigation ditch; thence Southeasterly in a straight line, along the irrigation ditch to the point of beginning, all in Section 4, Township 41 South, Range 11 East of the Willamette Meridian.

SUBJECT TO: Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation 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, page 6187 as "Notice to persons intending to plat lands within the Klamath Basin Improvement District"; Rights of the public in and to any portion of said premises lying within the limits of public roads and highways; Water Contracts, including the terms and provisions thereof, between United States of America and Walter Robinson, et ux., recorded April 22, 1940, in Deed Vol. 128 at page 501; Agreement and perpetual easement for the use of pumps and ditch for irrigation purposes, recorded July 5, 1957, in Deed Vol. 292, page 577. Affidavit to J. Randall Pipe, recorded Feb. 8, 1963, in Deed Vol. 343 at page 132; Easements and rights of way of record and apparent on the land. The above property has been granted special assessments for farm use, and when same is terminated it will be subject to additional ad valorem tax. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 45,000.00. 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 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 hands and seal s this 25th day of April, 1973

(SEAL) *William Flesher* (SEAL)
(SEAL) *Ann Hook Flesher* (SEAL)

STATE OF OREGON, County of Klamath) ss. April 26, 1973
Personally appeared the above named William Flesher and Ann Hook Flesher, also known as Ann E. Flesher, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Clayton M. Fahey
Notary Public for Oregon.
My commission expires 2-5-77

After recording return to:

STATE OF OREGON, }
County of KLAMATH } ss.

I certify that the within instrument was received for record on the 27 day of APRIL, 1973, at 11:15 o'clock A.M., and recorded in book M.73 on page 5032. Record of Deeds of said County.

Witness my hand and seal of County affixed.

By *Wm. D. Hulse* County Clerk-Recorder
Magel Dagit Deputy
FEE \$ 2.00

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

Charles Duncan
C. G. Box 277
Malin Ore
97622