

01-09423 800.50 28-5611

Vol. <sup>116</sup> 73 Page 11631

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT HAROLD R. SHEPHERD and DONNA L. SHEPHERD, 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 EDWIN J. CLOUGH III and VIRGINIA L. CLOUGH, husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

A tract of land situated in Tract 18 "MERRILL TRACTS" Subdivision in the SW 1/4 of Section 2, Township 41 South, Range 10 East of the Willamette Meridian, more particularly described as follows:

Beginning at a one-half inch iron pin located North 00°25' West a distance of 125.00 feet and West a distance of 120.00 feet from the one-half inch iron pin marking the Southeast corner of Block 3, "HODGES ADDITION TO MERRILL"; thence West parallel with the South line of said Tract 18 "MERRILL TRACTS" a distance of 120.00 feet to a one-half inch iron pin; thence North 00°25' West a distance of 125.00 feet to a one-half inch iron pin on the Westerly extension of the South line of Third Street, "HODGES ADDITION TO MERRILL"; thence East along said line a distance of 120.00 feet to a one-half inch iron pin; thence South 00°25' East a distance of 125.00 feet to the point of beginning.

Subject to: Easement for the construction and maintenance of future public utilities, irrigation and drainage along the Southerly 8 feet thereof; 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"; Easements and rights of way of record or apparent on the land, if any; and to real property taxes for fiscal year commencing July 1, 1973, which are now a lien but not yet payable.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 33,000.00. 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 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 seal s this 20th day of August, 19 73

(SEAL) Harold R. Shepherd (SEAL)  
(SEAL) Donna L. Shepherd (SEAL)  
August 24, 19 73  
STATE OF OREGON, County of Klamath ) ss.  
Personally appeared the above named Harold R. Shepherd and Donna L. Shepherd,  
husband and wife,  
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

James D. Porchi  
Notary Public for Oregon.  
My commission expires 10-25-74

After recording return to:

725+2  
5410 Main  
City

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

STATE OF OREGON, ) ss.  
County of Klamath

I certify that the within instrument was received for record on the 20th day of AUGUST 19 73, at 11:11 o'clock A. M., and recorded in book M-73 on page 11631. Record of Deeds of said County.

Witness my hand and seal of County affixed.

WM. D. MILNE  
By Hazel Drayton County Clerk-Recorder Deputy

FEE \$ 2.00