

1-1-74

88618

WARRANTY DEED—TENANTS BY ENTIRETY Vol. 74 Page 5689

KNOW ALL MEN BY THESE PRESENTS, That EARL J. SCHERER and HALLIE E. SCHERER, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by JOHN D. NICELY and ERMA J. NICELY, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

Lot 5 of Block 2 in WOODLAND PARK, together with an undivided 1/88th interest in two parcels situated in Government Lots 1 and 2, Section 15, Township 34 South, Range 7 East of the Willamette Meridian, being more particularly described in the attached Exhibit "A" description.

SUBJECT TO: Reservations and restrictions of record, easements and rights of way of record and those apparent on the land.

H. E. S.

E. J. S.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantees and the heirs of the survivor and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as hereinabove set forth;

and that grantor will warrant and forever defend the said 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 \$1,000.00.

However, the actual consideration stated does not include other property or value given or promised which is the whole consideration indicated which. (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

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

In Witness Whereof, the grantor has executed this instrument this 26th day of April, 1974, if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

Earl J. Scherer
EARL J. SCHERER
Hallie E. Scherer
HALLIE E. SCHERER

STATE OF OREGON,

County of Curry

April 26, 1974.

Personally appeared the above named Earl J. & Hallie E. Scherer and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

(SEAL)

Allen J. Paul
Notary Public for Oregon

My commission expires: Expires Feb. 29, 1978

STATE OF OREGON, County of

19

Personally appeared

and

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.

Before me:

(SEAL)

Notary Public for Oregon

My commission expires:

Mr. and Mrs. Earl J. Scherer
Route 1 Box 106 F
Brookings, Oregon 97415

Mr. and Mrs. John D. Nicely
1220 South Palm Way #4
Anaheim, California 92802

After recording return to:

Mr. and Mrs. John D. Nicely
1220 South Palm Way #4
Anaheim, California 92802

Until a change is requested all tax statements shall be sent to the following address.

Mr. and Mrs. John D. Nicely
1220 South Palm Way #4
Anaheim, California 92802

STATE OF OREGON,

County of

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 or as file/reel number

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By Deputy

5690

EXHIBIT A

The following described real property in Klamath County, Oregon:

Lot 5 in Block 2 of WOODLAND PARK, together with an undivided 1/88th interest in the following described land, 2 parcels situated in Lots 1 and 2, Section 15, Township 34 South, Range 7 East of the Willamette Meridian, and being more particularly described as follows:

PARCEL 1:

Beginning at the Northwest corner of said Section 15, Township 34 South, Range 7 East of the Willamette Meridian, and running; thence along the North line of said Section North $89^{\circ} 42' 15''$ East 400 feet; thence South 62.42 feet; thence South $46^{\circ} 57' 20''$ West 408.82 feet to the Northeasterly bank of the Williamson River; thence following said river bank North $37^{\circ} 53' 20''$ West 136.90 feet; thence North $16^{\circ} 33'$ West 60.98 feet to the West line of Section 15; thence Northerly on said Section line 172.92 feet to the point of beginning.

PARCEL 2:

Beginning at the Northwest corner of Section 15, Township 34 South, Range 7 East of the Willamette Meridian, and running; thence North $89^{\circ} 42' 15''$ East 400.0 feet along the North line of said Section 15; thence South 62.42 feet; thence South $50^{\circ} 43' 50''$ East 453.16 feet; thence South $76^{\circ} 17' 30''$ East 886.79 feet to the true point of beginning of this description; thence South $35^{\circ} 56' 30''$ West 446.55 feet to a point on the Northeasterly bank of the Williamson River; thence South $45^{\circ} 32' 20''$ East 84.00 feet; thence North $44^{\circ} 52' 10''$ East 411.58 feet; thence North $34^{\circ} 25' 10''$ West 156.01 feet, more or less, to the true point of beginning of this description.

E. J. S. H. E. S.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~EXEMPTED FROM RECORDATION~~ ~~EXEMPTED FROM RECORDATION~~
this 7th day of MAY A. D. 1974 at 6 o'clock PM., and
duly recorded in Vol. M 74, of DEEDS on Page 5689
FEE \$ 4.00 Wm D. MILNE, County Clerk

Wm D. MILNE, County Clerk

By Hazeld Hazel deputy