

94887

14753

vol. 74 page

## WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT PEGGY M. STIVERS, who was formerly Peggy M. Sloan, and ELDON V. STIVERS, her husband; and ROBERT SLOAN and LUCILLE SLOAN, 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 LEONARD P. ALLEN and BETTY J. ALLEN,

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

Lot 107 of Third Addition to Sportsman Park, Klamath County, Oregon, according to the official plat thereof on file in the Records of Klamath County, Oregon.

Subject to: Agreement concerning the operation of the dam and control of the water levels of Upper Klamath Lake; Reservations and easements contained in the Dedication of Third Addition to Sportsman Park; Any easements of record; Taxes for fiscal year commencing July 1, 1974; and to the following building and use restrictions which grantees, their heirs, grantees and assigns, assume and agree to fully observe and comply with, to-wit:

- (1) That grantees will not suffer or permit any unlawful, unsightly or offensive use to be made of said premises, nor will they suffer or permit anything to be done thereon which may be or become a nuisance or annoyance to the neighborhood.
- (2) That they will use said premises solely as a residence or summer home site.
- (3) That each said lot shall never be subdivided nor shall any less portion than the whole of said lot ever be sold, leased or conveyed, and that no building except one summer home or residence and the usual and necessary outbuildings thereto shall ever be erected thereon.
- (4) That no building shall ever be erected within 10 feet of any exterior property line.
- (5) That the foregoing covenants are appurtenant to and for the benefit of each and every other lot in said Third Addition to Sportsman Park and shall forever run with the land and shall bind the premises herein conveyed for the benefit of each and every other lot in said addition and the foregoing covenants and restrictions shall be incorporated in and made a part of each and every other deed or conveyance hereafter executed for the purpose of conveying these premises.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1800.00. 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 any suffered or created by grantees, and that they will warrant and defend the same from all lawful claims whatsoever, except those above set forth, and any suffered or created by grantees.

IN WITNESS WHEREOF, they have hereunto set their hands and seals this 17th day of October, 1974 Robert Sloan (SEAL) Lucille Sloan (SEAL) By Peggy M. Stivers (SEAL) their attorney-in-fact October 21, 1974. STATE OF OREGON, County of Klamath ) ss. Personally appeared the above named Peggy M. Stivers, who was formerly Peggy M. Sloan, and Eldon V. Stivers, her husband, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Eleanor J. [Signature]  
Notary Public for Oregon  
My commission expires 11-2-75

After recording return to:

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 Record of Deeds of said County.

Witness my hand and seal of County affixed.

County Clerk-Recorder

By

Deputy

Until a change is requested, all tax statements shall be sent to the following name and address:

Leonard P. Allen

3409 Hope

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

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(14) In connection with any of dences of debt, obligations, mortgages, any and all other instruments, whatsoever those of warranty, as to my said attorney  
(15) To employ, pay and discharge neys in connection with the exercise of any  
(16)



14754

FORM No. 159—ACKNOWLEDGMENT BY ATTORNEY-IN-FACT.

STATE OF OREGON,

County of Klamath

ss.

On this the 21st day of October, 1974 personally appeared  
 Peggy M. Stivers  
 who, being duly sworn (or affirmed), did say that s/he is the attorney in fact for Robert Sloan and  
 Lucille Sloan, husband and wife,  
 and  
 that s/he executed the foregoing instrument by authority of and in behalf of said principal; and s/he acknow-  
 edged said instrument to be the act and deed of said principal.

(Official Seal)

My Commission Expires:

Before me:

*Eleanor J. Hume*

(Signature)

Notary Public for Oregon

(Title of Officer)

11-2-75

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of LEONARD P. ALLEN

this 15th day of November A. D. 1974 at 3:40 o'clock P. M., and duly recorded in  
 Vol. M 71 of DEEDS on Page 14753

FEE \$ 4.00

WM. D. MILNE, County Clerk

By

*Angela Orangel*

Deputy

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