

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT FRED F. JIREK and CHARLET F. JIREK, 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 CARROLL SIMONSON and EILEEN SIMONSON, husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

All that part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, Township 24 South, Range 7 East of the Willamette Meridian, lying Easterly of Crescent Creek and Westerly of Highway #58, known as Willamette Highway, EXCEPTING that portion deeded to Frederic E. Kerns, et ux, in deed Volume 346 at page 343, records of Klamath County, Oregon, and ALSO EXCEPTING that portion lying within the boundary of Brewers Ranchos, Klamath County, Oregon; FURTHER EXCEPTING that portion deeded to Frederick E. Kerns et ux by deed dated September 6, 1970, and recorded in M-70 at page 8578, Records of Klamath County, Oregon.

Subject to: Rights of the public in and to any portion of said premises lying within the limits of roads and highways; Rights of the public and of Governmental bodies in and to that portion of the herein described property lying below the ordinary high-water mark of Crescent Creek; Well Agreement, and easement of ingress and egress from SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 7, lying Northerly and Easterly of Highway #58 and NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 18, lying Northerly and Easterly of Highway #58 including the terms and provisions recorded June 13, 1968, in M-68 at page 5239, between Fred P. Brewer et ux and Fred F. Jirek et ux; and Contract, including the terms and provisions thereof, and such other exceptions as may appear necessary upon the recording thereof, which contract is not of record, but it is disclosed by instrument recorded June 13, 1968, in Book M-68, page 5239 and interest of Fred F. Jirek and Charlet F. Jirek, husband and wife, which contract grantees assume and agree to pay.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$35,000.00. 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 on 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 seals this 15th day of March, 1971.

*Fred F. Jirek* (SEAL) (SEAL)

*Charlet F. Jirek* (SEAL) (SEAL)

STATE OF OREGON, County of Klamath ) ss. March 27, 1971

Personally appeared the above named Fred F. Jirek and Charlet F. Jirek, husband and wife,

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

Before me:

*Ernest F. Jordan*

Notary Public for Oregon.  
My commission expires 5-15-72

After recording return to:

B. D. Fancher  
Attorney at Law  
P.O. Box 1151  
Bend, OR 97701

From the Office of  
GANONG, GANONG & GORDON  
First Federal Building  
Klamath Falls, Oregon 97601

STATE OF OREGON, Klamath ) ss.  
County of

I certify that the within instrument was received for record on the 15 day of Sept 1975, at 10:52 o'clock a.m., and recorded in book M-75 on page 10922. Record of Deeds of said County.

Witness my hand and seal of County affixed.

Wm D Milne

By *Ernest F. Jordan* County Clerk-Recorder  
Deputy

3.00

Tapes to:  
Mr. & Mrs. B.E. Graham  
Box 70  
Crescent Lake OR  
97435

75 SEP 15 AM 11 42