

5871

MTC 1154

Vol. 75 Page

12429

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT WM. T. HENDRICKSON,

hereinafter known as grantor, for the consideration hereinafter stated has bargained and sold, and by these presents does grant, bargain, sell and convey unto

JAMES J. O'CONNELL and ANASTASIA O'CONNELL,

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

Beginning at a point on the Westerly boundary of the right of way of the Homedale Road which point is on the Southerly boundary of the U.S.R.S. drain ditch running East and West across the Northerly part of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 14, Township 39 South, Range 9 East Willamette Meridian, Klamath County, Oregon; and running thence South along the Westerly boundary of the Homedale Road 260 feet to the point of beginning; and running thence West to the Easterly right of way line of Klamath Project Drain #1-C-1-A-1; thence Southerly along the said Easterly boundary line of said Drain 306.2 feet; thence East to the Westerly boundary of the Homedale Road; thence North along the Westerly boundary 306.2 feet to the point of beginning, containing 5 acres more or less and being a part of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 14, Township 39 South, Range 9 East Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM:

Beginning at a point on the Westerly boundary of the right of way of the Homedale Road, which point is on the Southerly boundary of the United States Reclamation Service Drain Ditch, running East and West across the Northerly part of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; and running thence South along the Westerly boundary of the Homedale Road 443.7 feet to the point of beginning; and running thence West to the Easterly right of way line of the Klamath Project Drain #1-C-1-A-1; thence Southerly along the said Easterly boundary line of said Drain 122.5 feet; thence East to the Westerly boundary of the Homedale Road; thence North along the Westerly boundary 122.5 feet to the point of beginning, and being a part of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 14, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

ALSO EXCEPTING THEREFROM THE A-3-B LATERAL.

Subject to: Taxes for fiscal year, 1975-1976, which are now a lien but not yet payable; Rights of the public in and to any portion of the herein described property lying within the limits of streets and roads; Statutory powers, including the power of assessment, of Klamath Irrigation District; Easements and rights of way of record and those apparent on the map.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$16,000.00.

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 grantor does hereby covenant, to and with the said grantees, and their assigns, that he is the owner in fee simple of said premises; that they are free from all incumbrances, except those above set forth, and that he will warrant and defend the same from all lawful claims whatsoever, except those above set forth.

IN WITNESS WHEREOF, he has hereunto set his hand and seal this 1st day of October, 1975.

*Wm. T. Hendrickson* (SEAL)

(SEAL)

(SEAL)

STATE OF OREGON, County of Klamath ) ss. October 1, 1975

Personally appeared the above named Wm. T. Hendrickson,

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

Before me:

*William J. Levine*

Notary Public for Oregon.

My commission expires Oct 8, 1978

After recording return to:

*Ganong & Sisemore*

*540 Main*

*Clatsop*

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

James J. and Anastasia O'Connell

4640 Homedale Road

Klamath Falls, Oregon 97601

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

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 8th day of October, 1975, at 11:04 o'clock A.M., and recorded in book M 75 on page 12429 Record of Deeds of said County.

Witness my hand and seal of County affixed.

WM. D. MILNE

County Clerk—Recorder

By *Hazel Dragic*

Deputy

FEE \$ 3.00

4300