

5873

WARRANTY DEED—TENANTS BY ENTIRETY

KNOW ALL MEN BY THESE PRESENTS, That Robert L. Phillips and Susan K. Phillips, husband and wife hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Donald B. Bray and Peggy M. Bray, 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: Lots 33 and 34 and the East one-half of Lot 32, Block 6, ST. FRANCIS PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Subject, however, to the following:

1. Taxes for the fiscal year 1975-1976, a lien, but not yet due and payable.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
3. The premises herein described are within and subject to the statutory powers including the power of assessment, of Enterprise Irrigation District.
4. Reservations contained in plat dedication, to-wit: Saving and excepting the right is hereby reserved by the dedicators, their heirs, successors and assigns the privilege to install, operate, maintain, repair, and remove water, sewer and gas pipes, conduits, ditches and mains, and electric light and telephone poles and wires on, along, under and over the said streets, alleys and boulevards, also the right is hereby reserved to conduct water through ditches or pipes for irrigation, domestic or drainage purposes across all streets, alleys, boulevards and lots."
5. Reservations and restrictions as contained in deed recorded April 9, 1937 in Volume 108, page 367, Deed Records of Klamath County, Oregon, (for continuation of this deed see reverse side of this document)

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 noted of record as of the date of this deed and those apparent upon the land, if any, as of the date of this deed, 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 \$ 25,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate 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 7th day of October, 1975; 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)

STATE OF OREGON,)
County of Klamath) ss.
October 7, 1975

Personally appeared the above named
Robert L. Phillips and
Susan K. Phillips

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires 11-12-78

STATE OF OREGON, County of) ss.
October 7, 1975

Personally appeared _____ and _____ who, being duly sworn, 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:

Notary Public for Oregon

My commission expires:

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Mountain Title Co.
401 Main

NAME, ADDRESS, ZIP

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

No Change

NAME, ADDRESS, ZIP

STATE OF OREGON,) ss.

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/rec. number _____, Record of Deeds of said county. Witness my hand and seal of County affixed.

SPACE RESERVED FOR RECORDER'S USE

Recording Officer
By _____ Deputy

12433

to-wit: "The value of dwelling houses to be constructed on said property, shall be in the amount of not less than \$2,000.00, of approved floor plans, designs, and mode of construction to be approved by grantors. The principal buildings shall be built on a building line Twenty Five feet from property lines fronting streets."

STATE OF OREGON, COUNTY OF KLAMATH, ss.

Filed for record at request of MOUNTAIN TITLE CO.-----

this 8th day of OCTOBER A. D. 19 75 at 11:04 o'clock A. M., and

duly recorded in Vol. M 75, of DEEDS on Page 12432

FEE \$ 6.00

Wm D. MILNE, County Clerk

By Hazel Brazil