

18577

WARRANTY DEED—TENANTS BY ENTIRETY

KNOW ALL MEN BY THESE PRESENTS, That Vol. 76 Page 13873

EVERETT L. LEACH and WAYNE M. COLE, tenants in common, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by DONALD R. MANNING & LILLIAN V. MANNING 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 Oregon, State of Oregon, described as follows, to-wit:

SW 1/4 of Section 21, Township 39 South, Range 9, East of the Willamette Meridian, Klamath County, Oregon, lying westerly of the easterly right-of-way line of the U.S.B.R. C-4-E-1 lateral.

EXCEPTING THEREFROM: That portion lying Southwesterly of the C-4-E lateral.

ALSO EXCEPTING THEREFROM: That portion of said SW 1/4 within the rights-of-way of the U.S.B.R. C-4-E lateral, the C-4-E-1 lateral and the 1-N drain and Tingley Lane, a County road.

SUBJECT TO: Reservations, restrictions, rights of way and easements of record and those apparent on the land; AND (SEE REVERSE)

(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 herein 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 \$ 139,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the 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 2nd day of September, 1976; 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)

Everett L. Leach

STATE OF OREGON,

County of Klamath, ss. September 3, 1976

Personally appeared the above named Everett L. Leach and Wayne M. Cole, tenants in common, and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires

STATE OF OREGON, County of Klamath, ss. September 3, 1976

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

(OFFICIAL SEAL)

Everett Leach and Wayne Cole
c/o 325 Main Street
Klamath Falls, OR 97601
GRANTOR'S NAME AND ADDRESS

Donald and Lillian Manning
Route 1, Box 842
Bonanza, OR 97625
GRANTEE'S NAME AND ADDRESS

After recording return to:

Donald & Lillian Manning
Route 1, Box 842
Bonanza, OR 97625
NAME, ADDRESS, ZIP

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

Donald & Lillian Manning
Route 1, Box 842
Bonanza, OR 97625
NAME, ADDRESS, ZIP

STATE OF OREGON,

County of Klamath, ss.

I certify that the within instrument was received for record on the day of September, 1976

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.

SPACE RESERVED FOR RECORDER'S USE

Recording Officer
Deputy

13874

SUBJECT ALSO TO:

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last ten or lessor number of years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given;
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District;
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Horsefly Irrigation District;
4. The rights of the public in and to that portion of the premises herein described lying with the limits of existing roads;
5. Agreement between Clara A. Dicken and the United States of American, recorded April 10, 1906, in Volume 19, page 636, Deed Records of Klamath County, Oregon, which agreement recites as follows: "The authorized agents of the United States may enter upon and survey for, locate, grade, and construct canals, ditches, telephone and electric transmission lines, and other irrigation marks, as provided for in the act of Congress, approved June 17, 1902, known as the Reclamation Act, upon and across the land of the party of the first part, described as follows, to-wit: South half of South West quarter of Section 21, Twp. 39 South, Range 9, E.W.M., Klamath County, Oregon, and may take and use for such purposes a strip of said land, a sufficient number of feet wide on each side of the center line of said canals or other lines in the direction now surveyed and staked out, or as may hereafter be surveyed and staked out and found most practicable over said land. And the party of the first part further agrees that at any time during the continuance of this agreement, after it is determined that the strip of land above described will be needed for irrigation works to be constructed by the United States as aforesaid."
6. Easement for road purposes 60 feet wide lying 8.50 feet on the north side and 51.50 feet on the south side of the south line of Section 21 and running east a distance of 1466 feet along said south line from the southwest corner of said Section 21 as conveyed to Wayne M. Cole by deed recorded February 20, 1975, in Volume M-75, page 2064, Microfilm Records of Klamath County, Oregon.

STATE OF OREGON, COUNTY OF KLAMATH; ss.

for record at request of Mountain Title Company

3 rd day of September A. D. 1976 at 4:17 P. M.

July recorded in Vol. M76, of Deeds on Page 13873

Wm. D. Hill, County Clerk

By Hazel [Signature]

Fee \$6.00