

1-1-74

23305

WARRANTY DEED—SURVIVORSHIP

M 77 Page 385

KNOW ALL MEN BY THESE PRESENTS, That James C. Crawford and Judith D. Crawford, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by James C. Crawford and Judith D. Crawford

hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of said grantees, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of Klamath, State of Oregon, to-wit:

PARCEL 1

A parcel of land lying in the S½SW¼SW¼ of Section 19, Township 36 South, Range 14 East, W.M., Klamath County, Oregon; the said parcel being that portion of said S½SW¼SW¼ lying Northeasterly of a line parallel with and 50 feet Northeasterly of the center line of the Klamath Falls-Lakeview Highway, which center line is described as follows:

Beginning at Engineer's center line Station 1940+00, said station being approximately 1100 feet North and 710 feet east of the Southwest corner of said Section 19; thence South 65°10' East 1000 feet to Engineer's center line Station 1950+00.

The parcel of land to which this description applies contains 0.26 acre, more or less. (Continued on Reverse Side)

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their assigns and the heirs of such survivor, forever; provided that the grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.

And the grantor above named hereby covenants to and with the above named grantees, their heirs and assigns, that grantor is lawfully seized in fee simple of said premises, that same are free from all encumbrances

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 \$ None. 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 11 day of December, 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)

STATE OF OREGON, } ss.
County of Lincoln }
December 11, 1976

Personally appeared the above named James C. Crawford and Judith D. Crawford

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

Before me: Kenneth J. Burnham
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires 5-19-1978

STATE OF OREGON, County of Lincoln } ss.
December 11, 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: _____

James C. Crawford & Judith D. Crawford
9760 N.W. Springhill Drive
Albany, Oregon 97321
GRANTOR'S NAME AND ADDRESS

James C. Crawford & Judith D. Crawford
9760 N.W. Springhill Drive
Albany, Oregon 97321
GRANTEE'S NAME AND ADDRESS

After recording return to:
James C. Crawford & Judith D. Crawford
9760 N.W. Springhill Drive
Albany, Oregon 97321
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:
James C. Crawford & Judith D. Crawford
9760 N.W. Springhill Drive
Albany, Oregon 97321
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/reel number _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

By _____ Recording Officer
Deputy

SPACE RESERVED
FOR
RECORDER'S USE

A parcel of land lying in the S1/4SW1/4SW1/4 of Section 19, Township 36 South, Range 14 East, W.M., Klamath County, Oregon; the said parcel being that portion of said S1/4SW1/4SW1/4 lying Southwesterly of a line parallel with and 50 feet Southwesterly of the center line of the Klamath Falls - Lakeview Highway, which center line is described as follows:

Beginning at Engineer's center line Station 1940+00, said station being approximately 1100 feet North and 710 feet East of the Southwest corner of said Section 19; thence South 65°10' East 1000 feet to Engineer's center line Station 1950+00.

The parcel of land to which this description applies contains 3.38 acres, more or less.

It is understood that this conveyance is made and delivered upon the following express conditions, reservations and restrictions:

1. That there is reserved to Grantor, its successors, and assigns, all minerals, as defined in ORS 273.775(1), and all geothermal resources, as defined in ORS 273.775(2), together with the right to make such use of the surface as may be reasonably necessary for prospecting for, exploring for, mining, extracting, reinjecting, storing, drilling for and removing such minerals and geothermal resources; provided, however, that the rights hereby reserved to use the surface for any of the activities shall be subordinate to that use of the surface of the premises deeded herein, or any part thereof, being made by the owner thereof on the date the State of Oregon leases its reserved minerals or geothermal resources; in the event such use of the premises by a surface rights owner would be damaged by one of the activities described above, then such owner shall be entitled to compensation from the State's lessee to the extent of the diminution in value of the surface rights owner's interest.

2. That there is reserved to Grantor, and waived by Grantees, all access rights between the above described real property and the right of way of the Klamath Falls-Lakeview Highway abutting on said parcel, which public highway is further identified as State Highway No. 20, EXCEPT, however

There is hereby granted access rights to and from the Southerly side of said highway right of way opposite highway Engineer's Station 1945+34 in a width of 35 feet.

If, after written notice to desist, Grantees, or any person holding under them shall use the above place of access in a width greater than above stated, or shall permit or suffer any person to do so, the right of access therefor shall automatically be suspended. Grantor shall thereupon have the right to close such place of access for all purposes. The suspension shall terminate when satisfactory assurance has been furnished Grantor that the place of access will be used only in a width not greater than above stated.

3. That the above-described land shall never be used for the placing or maintenance of any advertising sign, display or device, except such sign, display or device used to advertise the activities conducted on said land, or the sale or lease of said land or any portion thereof, and upon the further express condition that said land shall never be used as a place for the open storage, keeping, buying, selling, dismantling or other processing of any junk, scrap, junked motor vehicles or parts thereof, debris, trash, waste or other such materials, including any garbage dump or sanitary fill.

In the event of violation of the condition pertaining to advertising signs, displays or devices, Grantor shall have the right, through its authorized officers, agents or employees, to enter upon said land and remove, destroy or obliterate any unauthorized sign, display or device, without liability for damage or injury thereto, and to recover the cost of such removal, destruction or obliteration from the owner of said land.

In the event of the violation of the condition pertaining to open storage, keeping, buying, selling, dismantling or other processing of junk, scrap or other material mentioned above on said land, Grantor shall have the right, through its authorized officers, agents or employees to enter upon said land and remove or destroy any unauthorized junk, scrap or other material mentioned above and recover the cost of such removal or destruction from the owner of said land.

The rights and remedies herein reserved or provided shall not be exclusive and shall not be in derogation of any other right or remedy which Grantor may have. The restrictions, rights and conditions herein contained shall run with said land and shall forever bind Grantees, their heirs and assigns.

This deed is given to establish the right of survivorship from the Grantor herein to Grantee herein recorded July 1, 1976 in Book M76, at Page 9967, Document No. 15763, Klamath County Record of Deeds.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 10th day of January A.D., 1977 at 8:43 o'clock A M., and duly recorded in Vol. M 77 of DEEDS on Page 385.

FEE \$ 6.00

WM. D. MILNE, County Clerk

By Hazel Inage

Deputy