

LH 03-41237 M/T 3597

FORM No. 716-WARRANTY DEED (Individual or Corporate) (Grantees as Tenants by Entirety).

1-1-74

30845

WARRANTY DEED-TENANTS BY ENTIRETY

STEVENS-ANDERSON LAW PUBLISHING CO., PORTLAND, OREGON

Vol. 77 Page 10119

KNOW ALL MEN BY THESE PRESENTS, That  
Lukes, husband and wife

Bryce K. Lukes and Margo L.

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Larry D. Marshbarger and Rosella S. Marshbarger, 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: Lot 20, Block 3, FIRST ADDITION TO BANYON PARK, TRACT NO. 1087, 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. The premises herein described are within and subject to the statutory powers, including the power of assessment of South Suburban Sanitary District.
2. Building setback line 25 feet from front of lot as shown on dedicated plat.
3. An 8 foot utility easement over rear portion of lot, as shown on dedicated plat.
4. Reservations and restrictions as shown on dedicated plat, to-wit: "Subject to: (1) A 25 foot building setback on the front of all lots and a 20 foot building setback line along side street lines; (2) Easements as shown on the annexed map for construction and maintenance (for continuation of this document see reverse side of this deed)

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,

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 \$ 40,000.00  
~~However, the actual consideration consists of or includes other property or value given or promised which is 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 day of June, 19 77;  
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.  
June 10th, 19 77

Personally appeared the above named  
Bryce K. Lukes and Margo L.  
Lukes, husband and wife.

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

Before me:

(OFFICIAL SEAL) Notary Public for Oregon  
My commission expires

Bryce K. Lukes  
Bryce K. Lukes

Margo L. Lukes  
Margo L. Lukes

STATE OF OREGON, County of } ss.  
June 10th, 19 77

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 \_\_\_\_\_

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:

(OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires:

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to

Klamath First Federal  
Shasta Plaza

NAME, ADDRESS, ZIP

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

Klamath First Federal  
Shasta Plaza

NAME, ADDRESS, ZIP

STATE OF OREGON,

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.

SPACE RESERVED  
FOR  
RECORDER'S USE

Recording Officer

By

Deputy

of public utilities and irrigation said easements to provide ingress and egress with any plantings or structures placed thereon by lot owners to be at their own risk; (3) Additional restrictions as provided in any recorded protective covenants."

5. Reservations and restrictions as contained in instrument recorded in Volume 226, page 191, Deed Records of Klamath County, Oregon, to-wit: "Subject to use or irrigation rights, ditches, water and drainage rights, and for irrigation purposes for the benefit of adjoining property owners on the West side of the above described property; and subject to all contracts and agreements with the United States of America and/or the Klamath Irrigation District relative to irrigation and/or drainage, and any existing rights of way for ditches or canals heretofore conveyed or used in connection herewith, and subject to all rights and easements, if any, affecting said property.."
6. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms and provisions thereof, recorded December 23, 1974 in Volume M-74, page 16182, Microfilm Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss. -

Filed for record at request of MOUNTAIN TITLE CO

this 11th day of JUNE A. D. 1977 at 12:56 P. M., and

duly recorded in Vol. M77, of DEEDS on Page 10159

FEE \$ 6.00

W. D. MILNE, County Clerk

By Hazel D. Dugan