

31757

WARRANTY DEED—TENANTS BY ENTIRETY

STEVEN M. LAW PUBLISHING CO., PORTLAND, OR 97204

Vol. 77 Page 11452

KNOW ALL MEN BY THESE PRESENTS, That Joseph C. Giammona and Elaine G. Giammona, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Bruce E. Tiernan and Jill Tiernan, 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:

That portion of Government Lot 2 in Section 9, Township 35 South, Range 7 East of the Willamette Meridian, lying East of Highway 97, EXCEPTING THEREFROM a 60 foot right-of-way beginning at a point on the East line of Government Lot 2 which is 435 feet South of the Northeast corner of Government Lot 2; thence West to the Easterly right-of-way of Highway 97; thence South 60 feet along said right-of-way line; thence East to the East line of Government Lot 2; thence North along said East line 60 feet to the point of beginning.

Also excepting therefrom an easement over the east 30 feet of that portion lying north of the Northerly right of way line of 60 foot easement described above.

Subject, however, to the following:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. Reservations as contained in deed recorded September 26, 1957, in (for continuation of this document see reverse side of this deed)

(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 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 \$ 55,000.00

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 28th day of June, 1977; 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 28, 1977

Personally appeared the above named Joseph C. Giammona and Elaine G. Giammona

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

NOTARY
(OFFICIAL
SEAL)

Before me:

Donald Bert Hamilton

Notary Public for Oregon

My commission expires APRIL 30, 1981

STATE OF OREGON, County of) ss.

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:

(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
540 Main

NAME, ADDRESS, ZIP

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

Bruce E. Tiernan
Highway 97
Chiloquin, Or. 97624
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.

SPACE RESERVED
FOR
RECORDER'S USE

By _____ Recording Officer
Deputy

Volume 294, page 481, Deed Records of Klamath County, Oregon, United States of America, to Leroy Gienger and Elvine Gienger, to-wit:

"There is reserved from the lands hereby granted the following:

(1) Right of way to the Pacific Telephone and Telegraph Company for a telephone line approved December 6, 1930, by Jos. M. Dixon, First Assistant Secretary, subject to the provisions of the Act of March 3, 1901 (31 Stat. L., 1058-1083) Departmental regulations thereunder; and subject also to any prior valid existing right or adverse claim; (2) Right of Way to Oregon State Highway Commission for a highway approved August 26, 1946, by C. Girard Davidson, Assistant Secretary, subject to the provisions of the Act of March 3, 1901 (31 Stat. L. 1058-1084) Departmental regulations thereunder; and subject also to any prior valid existing right or adverse claim. Title to the above described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Esther Stokes, deceased Klamath allottee No. 592."

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of MOUNTAIN TITLE CO

this 29th day of JUNE 1937 at 10:29 o'clock AM and

duly recorded in Vol. M77, of DEEDS on Page 11452

FEE \$ 6.00

Wm D. MILNE, County Clerk

By Hazel Drazil