

32898

01-10791

M/T 3817

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

Vol. ^M 7 Page 13344

This Indenture Witnesseth, THAT JAMES ELY COX and ANNETTE BAUERNFEIND COX,

husband and wife, hereinafter known as grantors, for the consideration hereinafter stated have bargained and sold, and by these presents do grant, bargain, sell and convey unto RUSSELL L. MADSEN and SHIRLEY MADSEN,

husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

PARCEL 1: A tract of land situated in the NE $\frac{1}{4}$ of Section 28, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows: Beginning at a point on the North line of said Section 28 South 89°54'41" East, 827.90 feet from the North one-fourth corner of said Section 28; thence South 00°19'32" West, 30.00 feet to a 5/8 inch iron pin; thence continuing South 00°19'32" West, 228 feet; thence South 89°54'41" East, 506.01 feet to the center line of the County Road; thence North 00°19'32" East along the center line of said road 258 feet, more or less, to a one-half inch iron pin on the North line of said Sec. 28; thence North 89°54'41" West, 10.70 feet to a 5/8 inch iron pin marking the NE corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Sec. 28; thence continuing North 89°54'41" West, 495.31 feet to the point of beginning.

PARCEL 2: A parcel of land situated in Section 28, Township 39 South, Range 10 East of the Willamette Meridian, being more particularly described as follows: Commencing at the Northwest corner NE $\frac{1}{4}$ of said Sec. 28; thence South 89°54'41" East along the North line of said Sec. 28, a distance of 827.90 feet; thence leaving said Section line South 00°19'32" West, 258.00 feet to the point of beginning for this description; thence continuing South 00°19'32" West, 226.66 feet to the Northwest corner of that certain tract described in Klamath County Deed Records Vol. M72, page 11968; thence South 89°25'44" East, 476.02 feet to the Northeast corner of the aforementioned tract of land; thence North 00°19'32" East, 230.67 feet; thence North 89°54'41" West, 476.01 feet to the point of beginning.

SUBJECT TO: Taxes for fiscal year 1977-78 which are now a lien but not yet payable; Rights of the public in and to any portion of the herein-described premises lying within the limits of streets, roads or highways; Statutory powers, including the power of assessment, of Klamath Irrigation District; Easements and rights of way of record and those apparent on the land, if any; Reservations as contained in deed recorded Oct. 22, 1971, in Vol. M71, page 11139.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 63,000.00
However, the actual consideration includes other property which is part of the consideration.
(Strike out the above when not applicable)

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said grantees as an estate by the entirety. And the said grantors do hereby covenant, to and with the said grantees, and their assigns, that they are the owners in fee simple of said premises; that they are free from all incumbrances, except those above set forth, and that they will warrant and defend the same from all lawful claims whatsoever, except those above set forth.

IN WITNESS WHEREOF, they have hereunto set their hands and seals this 21st day of July, 19 77.

(SEAL)

X

James E. Cox

(SEAL)

(SEAL)

X

Annette B. Cox

(SEAL)

STATE OF OREGON, County of Klamath) ss. July 22nd, 19 77.

Personally appeared the above named James Ely Cox and Annette Bauernfeind Cox,

husband and wife,

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



Before me:

Donald Bert Hamilton
Notary Public for Oregon.
My commission expires MARCH 30, 1981

After recording return to:

Klamath First Federal
540 Main

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 22 day of July, 19 77, at 10:17 o'clock A. M., and recorded in book M 77 on page 13044. Record of Deeds of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne

County Clerk-Recorder

By

Pat McCullough

Deputy

From the Office of
GANONG & SISEMORE
538 Main Street
Klamath Falls, Oregon 97601

Fee \$3.00