

33264

WARRANTY DEED—TENANTS BY ENTIRETY

Wayne O. Donahue and Dorothy A.

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

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Dale I. Freeman and Carol S. Freeman, 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 4 in Block 13, TRACT 1105, FOURTH ADDITION TO CYPRESS VILLA, 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 Klamath Irrigation District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
3. A 25 foot building set back along the front of lot as shown on dedicated plat.
4. A 30 foot utility easement over the Easterly portion of said lot as shown on dedicated plat.
5. Reservations and restrictions, including the terms and provisions thereof, as contained in plat dedication, to-wit:

(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 \$ 60,500.00. 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 29th day of July, 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

July 29, 1977

Personally appeared the above named Wayne O. Donahue and Dorothy A. Donahue

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires 3-22-81

STATE OF OREGON, County of _____, ss.

Personally appeared _____, and

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:

STATE OF OREGON,

County of _____, ss.

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

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Mr. & Mrs. Dale I. Freeman
5556 Sylvia
Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

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

Mr. and Mrs. Dale I. Freeman
Address as Above

NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

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"Said plat being subject to building set back lines as shown. Easements for public utilities and irrigation as shown. Said easements to provide ingress and egress for construction and maintenance of said utilities and irrigation, and additional restrictions as shown in any recorded protective covenants."

6. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.

Dated: March 4, 1977

Recorded: March 7, 1977 in Volume M77, page 3893, Microfilm Records of Klamath County, Oregon

Amount: \$39,200.00

Grantor: Wayne O. Donahue and Dorothy A. Donahue, husband and wife

Trustee: William Ganong, Jr.

Beneficiary: First Federal Savings and Loan Association of Klamath Falls, Oregon, which mortgage Grantees hereby assume and agree to pay according to its terms and also hereby assumes the obligation of Wayne O. Donahue and Dorothy A. Donahue, husband and wife, the unpaid principal balance of which is \$39,035.72 to First Federal Savings and Loan Association of Klamath Falls, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record on request of XXXXXXXXXX

this 29 day of July A. D. 1977 at 3:13 o'clock P M., or

duly recorded in Vol. M 77, of Deeds on Page 13647

Wm D. MILNE, County Clerk

Fee: \$6.00

By Wayne O. Donahue