

1-1-74

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WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 77 Page 21846

KNOW ALL MEN BY THESE PRESENTS That Donald R. Keller and Joan R. Keller, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Brian Childs Filtz Gerald and Nan Isabel Filtz Gerald, 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 6, in Block 2, of TRACT 1035, GATEWOOD, 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. Taxes for the fiscal year 1977-78, due and payable.
2. Sewer use charges, if any, due to the City of Klamath Falls,
3. Right of Way, including the terms and provisions thereof, from H. E. Ankeny, et ux, and R. E. Cantrall, et ux, to United States of America, dated June 26, 1905, recorded May 18, 1907, in Volume 22, page 479, Deed Records of Klamath County, Oregon. (no specific location of record)
4. A 25 foot building setback from street as shown on dedicated plat.
5. Restrictions as contained in plat dedication, to-wit:

"Subject to a 25 foot building setback line along the front of all lots and a 20 foot building setback line along sidestreet lines; easements as shown on the annexed map are dedicated to the City of Klamath (for continuation of this deed see reverse side of this document)

(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 \$43,500.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole or 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 10th day of November, 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

November 10, 1977

Personally appeared the above named Donald R. Keller and Joan R. Keller, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Before me,

Notary Public for Oregon

My commission expires

3-3-79

Notary Public for Oregon

My commission expires:

Donald R. Keller
Donald R. Keller

Joan R. Keller
Joan R. Keller

STATE OF OREGON, County of Klamath

November 10, 1977

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)

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.

Recording Officer

By _____ Deputy

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

West National Bank of OR
P.O. Box 1936
Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

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

BRIAN & NAN FITZGERALD
4916 GATEWOOD
KLAMATH FALLS, OR 97601

NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

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Falls for the regulation and placement of utilities, said easements to provide ingress and egress with any planting or structures placed thereon by the lot owner to be at his own risk; no changes will be made in the present irrigation and/or drain ditches without the consent of the Klamath Irrigation District, its successors or assigns." 6. 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 May 17, 1973 in Volume H73, page 5995, Microfilm Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of MOUNTAIN TITLE COthis 10th day of NOVEMBER, A.D. 19 77 at 3:28 o'clock P.M., andfully recorded in Vol. M77, of DEEDS on Page 21846

FEE \$ 6.00

Wm D. MILNE, County Clerk

By Bernethart Hetch