

39491

MTG-3131

LITTONS REBEL LAW PUBLISHING CO., PORTLAND, OR. 97204

WARRANTY DEED

Vol. 77 Page 22867

KNOW ALL MEN BY THESE PRESENTS, That ALBERT L. STRAUS and DONNA V. STRAUS, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CORNELIUS J. FITZGERALD, III and SALLY A. FITZGERALD, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of KLAMATH and State of Oregon, described as follows, to-wit:

The following described real property is situate in Klamath County, Oregon, being more particularly described as follows:

The SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 29, and the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  and the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 32, all in Township 33 South, Range 7 $\frac{1}{2}$  East of the Willamette Meridian. EXCEPTING THEREFROM all that portion of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 32 that lies Southerly of Seven Mile Road (County Road Number 1349).

SUBJECT TO:

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. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied.
3. An easement granted to County of Klamath in 1928 for constructing the Seven Mile-Fort Klamath Highway. (IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as set forth above and apparent upon the land,

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 \$110,000.00. ~~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  $\circledast$ , 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 17 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)

Albert L. Straus  
Donna V. Straus

STATE OF OREGON, )  
County of Jackson ) ss.  
11-17-77, 19 77.

Personally appeared the above named Albert L. Straus and Donna V. Straus

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

Before me: R.A. James  
(OFFICIAL SEAL)  
Notary Public for Oregon  
My commission expires: Dec. 22, 1978

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
\_\_\_\_\_, 19\_\_\_\_.

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:

Cornelius J. Fitzgerald III  
P.O. Box 11  
Prineville, Ore. 97637

NAME, ADDRESS, ZIP

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

Same as above

NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, ) ss.  
County of Klamath )

I certify that the within instrument was received for record on the 23rd day of November, 19 77, at 3:42 o'clock PM, and recorded in book M77 on page 22867 or as file/reel number 39491.

Record of Deeds of said county. Witness my hand and seal of County affixed.

Wm. D. Milne  
Recording Officer  
By Bernetha J. Litch Deputy

Fee \$3.00