

40105

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 77

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KNOW ALL MEN BY THESE PRESENTS, That Harley K. Jentzsch and Jo Anne L. Jentzsch, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Robert W. Kirch and Linda I. Kirch

, 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 4, Tract No. 1078, SECOND ADDITION TO KELENE GARDENS, 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. Rules, regulations and assessments of South Suburban Sanitary District.
2. Liens and assessment of Klamath Project and Klamath Irrigation District, and regulations, easements, contracts, water and irrigation rights in connection therewith.
3. Acreage and use limitation under provisions of United States Statutes and regulations issued thereunder.
4. Warranty Clearance Easement, including the terms and provisions thereof, by and between Walter L. Galloway, a single man, and Jennie H. Galloway, a widow, to United States of America, dated May 12, 1964, recorded May 12, 1964, Vol. 353, page 455, Microfilm Records 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 \$ 34,900.00

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 ①, 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 6 day of December, 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.  
December 6, 1977.

Personally appeared the above named  
Harley K. Jentzsch and Jo Anne L.  
Jentzsch, husband and wife

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

Before me:  
(OFFICIAL SEAL)  
Notary Public for Oregon

My commission expires 2-3-79

STATE OF OREGON, County of ) ss.  
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 be-  
half 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:

Notary Public for Oregon  
My commission expires:

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

First National Bank of Oregon  
P.O. Box 1936  
Klamath Falls, Oregon 97601

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

Robert W. Kirch  
4909 River Road  
Klamath Falls, OR 97601

STATE OF OREGON,

County of

I certify that the within instru-  
ment 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

County, Oregon.

5. Easement of South Suburban Sanitary District, including the terms and provisions thereof, given by Elmer Woelk and Phyllis Woelk to South Suburban Sanitary District, dated September 15, 1969, recorded September 24, 1969, Vol. M-69, page 8242, Microfilm records of Klamath County, Oregon.

6. Reservations and restrictions in Dedication and on the plat of SECOND ADDITION TO KELENE GARDENS, as follows:

- "(1) Easements for public utilities and irrigation as shown on the annexed map, said easements to provide ingress and egress for construction and maintenance of said facilities
- (2) Building set back lines as shown on the annexed map;
- (3) No vehicular access to Anderson Avenue from any lot;
- (4) No change will be made in the present irrigation ditches without the consent of the Klamath Irrigation District, its successors or assigns; (5) All easements and reservations of record and additional restrictions as provided in any recorded protective covenants."

7. Reservations and Building Use Restrictions for SECOND ADDITION TO KELENE GARDENS, dated and recorded August 16, 1974, Vol. M74, page 12277, re-recorded July 16, 1975, Vol. M75, page 8074 Microfilm records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Subscribed for record at request of KLAMATH COUNTY TITLE CO

on 7th day of DECEMBER A. D. 19 77 at 3:49 o'clock P.M., and

fully recorded in Vol. M77, of RECORDS on Page 23735

FEE \$ 6.00

Wm D. MILNE, County Clerk

By Bernethard Hetsch