

1-1-74

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. ^m 78 Page 5141-2

44807

KNOW ALL MEN BY THESE PRESENTS, That Kenneth E. Ward and Mary E. Ward, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Kenneth E.

Cunard and Maryann L. Cunard

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:

The E½ of SE¼ of Section 32 and the W½ of SW¼ of Section 33, Township 39 South, Range 11½ East of the Willamette Meridian, excepting therefrom a strip of land 60 feet wide across the NW¼SW¼ of said Section 33, conveyed to United States of America in Deed Volume 39 at page 252.

The South 500 feet of SW¼ of SE¼ and that portion of the SW¼ of SE¼ described as beginning at a point on the East line of said SW¼ of SE¼ that is 500 feet North of the Southeast corner of said SW¼ of SE¼; thence West to the centerline of an existing road; thence Northwesterly along the centerline of said road 425 feet; thence North to the North line of said SW¼ of SE¼; thence East to the Northeast corner of said SW¼ of SE¼; thence South to the point of beginning, all in Section 32, Township 39 South, Range 11½ East of the Willamette Meridian.

Excepting therefrom the following described property: (see reverse)

(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 subject to (1) the assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use (see reverse) 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 \$ 175,000.00

~~However, the actual consideration consists of or includes other property or value given or promised which is the actual consideration (indicate which).~~ (The sentence between the symbols ^③, 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 day of March, 19 78; 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)

Kenneth E. Ward
Mary E. Ward

STATE OF OREGON,)
County of Klamath) ss.
March 16, 19 78.

Personally appeared the above named
Kenneth E. Ward and Mary E. Ward

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

Before me:
(OFFICIAL SEAL) *John A. Linnerson*
Notary Public for Oregon
My commission expires 10-26-81

STATE OF OREGON, County of) ss.

Personally appeared _____, 19 _____ 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:

Kenneth E. and Mary E. Ward
Rt. 2, Box 756-R
Klamath Falls, Oregon 97601

Kenneth E. and Maryann L. Cunard
Rt. 2, Box 754-D
Klamath Falls, Oregon 97601

After recording return to:

BEDDOE & HAMILTON
Attorneys At Law
296 Main Street
Klamath Falls Oregon 97601

Until a change is requested all tax statements shall be sent to the following address.
Kenneth E. and Maryann L. Cunard
Rt. 2, Box 754-D
Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

STATE OF OREGON,) ss.

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.

By _____ Recording Officer

Deputy

A tract of land situated in the SE $\frac{1}{4}$ of Section 32, Township 39 South, Range 11 $\frac{1}{2}$ East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows: Commencing at the Southeast corner of said Section 32, thence North 89°59' West along the South line of said Section 32, 1,289.58 feet; thence, leaving said South line, North 20.23 feet to a 5/8" iron pin marking the point of beginning of this description; thence North 16°58'13" West 82.64 feet to a 5/8" iron pin; thence North 46°32'22" East 68.17 feet to a 5/8" iron pin; thence North 12°54'13" West 89.20 feet to a 5/8" iron pin; thence South 68°00'47" West 104.38 feet to a 5/8" iron pin; thence South 14°50'29" East 177.95 feet to a 5/8" iron pin; thence South 87° 45'37" East 45.80 feet to the point of beginning.

 Exceptions continued:

Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last ten or lesser number of years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given, (2) the statutory powers, including the power of assessment of Klamath Irrigation District, (3) statutory powers, including the power of assessment of Poe Valley Improvement District, (4) statutory powers, including the power of assessment of Klamath Basin Improvement District, (5) rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways, (6) perpetual easement, including the terms and provisions thereof, across the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 32, granted to the Pacific Telephone & Telegraph Company, recorded August 1, 1942, in Deed Volume 149 at page 81, Klamath County Records, (7) perpetual right-of-way easement, including the terms and provisions thereof, for roadway, 30 feet in width along a portion of the West and North lines of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, granted to Robert M. Lewis and Violet A. Lewis, husband and wife, recorded May 13, 1959, in Deed Volume 312 at page 371, Klamath County Records, (8) right-of-way 10 feet in width, including the terms and provisions thereof, for pole and wire lines and other facilities over the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, granted to Pacific Power & Light Company, recorded March 28, 1962 in Deed Volume 335 at page 312, Klamath County Records, (9) permanent easement and right-of-way for roadway, including the terms and provisions thereof, over the South 60 feet of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 32, granted to Klamath County, recorded October 2, 1963, in Deed Volume 348 at page 394, and corrected by easement recorded October 17, 1963, in Deed Volume 248 at page 551, Klamath County Records.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Subscribed for record ~~XXXXXXXXXXXX~~

this 17th day of March A. D. 19 78 at 10:44 o'clock AM, in

and duly recorded in Vol. M78, of Deeds, on Page 5144

Wm D. MILNE, County Clerk

By Bernetha J. Litch

Fee \$6.00