

1-1-74

44973

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. M 78 Page 5365



KNOW ALL MEN BY THESE PRESENTS, That HENRY F. HERZOG and MARIA E. HERZOG, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by LELAND D. HON and DOROTHEA M. HON 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 1 in Block 7 WOODLAND PARK, together with an undivided 1/88th interest in the following described land, two parcels situated in Lots 1 and 2, Section 15, Township 34 South, Range 7 East of the Willamette Meridian, and being more particularly described in the attached Exhibit "A" description.

SUBJECT, however, to the following:

1. An easement created by instrument, including the terms and provisions thereof, dated September 2, 1966, recorded October 21, 1966 in Book M-66 at page 10198 in favor of Pacific Power and Light Company for electrical transmission over Government Lots 1 and 2 in Section 15, Township 34 South, Range 7 East of the Willamette Meridian. (no exact location given)

(for continuation of this description, see reverse side)

(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 \$ 32,000.00. However, the actual consideration consists of or includes other property or value given or promised which is 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 15th day of April, 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)

Henry F. Herzog
Maria E. Herzog

STATE OF OREGON, } ss.
County of Klamath
April 15, 1977.

Personally appeared the above named
Henry F. Herzog & Maria E. Herzog

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

Before me:
Paul B. Kelita
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires 12-22-78

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:

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

After recording return to:

Leland D. Hon
P.O. Box 703
Chiloquin, Or 97624

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

NAME, ADDRESS, ZIP

(description continued)

2. Restrictions shown on the plat of Woodland Park as follows:
 - a. A public utility easement 16 feet in width along the back and side line of all lots except on the interior lots where said 16 foot easement will be centered on the back and side lines.
 - b. A 20 foot building set back line along the front of all lots.
 - c. All easements and reservations of record and additional restrictions as provided in any recorded protective covenants.

5366

EXHIBIT A

The following described real property in Klamath County, Oregon:

Lot 1 in Block 7 of WOODLAND PARK, together with an undivided $\frac{1}{88}$ th interest in the following described land, 2 parcels situated in lots 1 and 2, Section 15, Township 34 South, Range 7 East of the Willamette Meridian, and being more particularly described as follows:

PARCEL 1:

Beginning at the Northwest corner of said Section 15, Township 34 South, Range 7 East of the Willamette Meridian, and running; thence along the North line of said Section North $89^{\circ} 42' 15''$ East 400 feet; thence South 62.42 feet; thence South $46^{\circ} 57' 20''$ West 408.82 feet to the Northeasterly bank of the Williamson River; thence following said river bank North $37^{\circ} 53' 20''$ West 136.90 feet; thence North $16^{\circ} 33'$ West 60.98 feet to the West line of Section 15; thence Northerly on said Section line 172.92 feet to the point of beginning.

PARCEL 2:

Beginning at the Northwest corner of Section 15, Township 34 South, Range 7 East of the Willamette Meridian, and running; thence North $89^{\circ} 42' 15''$ East 400.0 feet along the North line of said Section 15; thence South 62.42 feet; thence South $50^{\circ} 43' 50''$ East 453.16 feet; thence South $76^{\circ} 17' 30''$ East 886.79 feet to the true point of beginning of this description; thence South $35^{\circ} 56' 30''$ West 446.55 feet to a point on the Northeasterly bank of the Williamson River; thence South $45^{\circ} 32' 20''$ East 84.00 feet; thence North $44^{\circ} 52' 10''$ East 411.58 feet; thence North $34^{\circ} 25' 40''$ West 156.01 feet, more or less, to the true point of beginning of this description.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 21st day of March A.D., 19 78 at 12:00 o'clock P M., and duly recorded in Vol. M78 of Deeds on Page 5365.

FEE \$6.00

WM. D. MILNE, County Clerk
By Bernetha A. Helich Deputy