

1-1-74

48073

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 78 Page

9817

KNOW ALL MEN BY THESE PRESENTS, That Roland P. Schill and Judy A. Schill, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by James Arthur McDonald and Brenda Kay McDonald, 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 52, LEWIS TRACTS, 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. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
3. Reservations as contained in instrument recorded in Volume 218, page 101, Deed Records of Klamath County, Oregon, as follows:  
"reserving unto the undersigned, her heirs and assigns as owners of the other lots in said Lewis Tracts, the perpetual right and easement (For continuation of this legal description, see reverse side of this document.)"

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 \$ 27,000.00

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 ©, 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 11th day of May, 1978; 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)

Roland P. Schill  
Judy A. Schill  
Roland P. Schill  
Judy A. Schill

STATE OF OREGON, )  
County of Klamath ) ss.  
May 11th, 1978

STATE OF OREGON, County of ) ss.  
May 11th, 1978

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.

Personally appeared the above named Roland P. Schill and Judy A. Schill, 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 4/24/81

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:  
Kla. 1st Fed.  
540 Main  
NAME, ADDRESS, ZIP  
James McDonald  
1417 Hope  
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

SPACE RESERVED FOR RECORDER'S USE

to construct, operate and maintain drainage and/or irrigation ditches along and across said real property for the benefit of such other lots, it being further understood that the purchaser will never fence or obstruct any canal of Enterprise Irrigation District in such manner as will interfere with the use and maintenance thereof."

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co

the 12th day of May A. D. 19 78 at 10:08 o'clock A. M., and

fully recorded in Vol. M78, of Deeds on Page 9817

Wm D. MILNE, County Clerk

By Bernetha A. Hetch

Fee \$6.00