

1-1-74

49093

WARRANTY DEED

Vol. 117 Page 11282

KNOW ALL MEN BY THESE PRESENTS, That David B. Fleming aka David Brooks Fleming

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Eugene Bailey

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:

Lots 3 and 4, Block 6, Tract No. 1019, WINEMA PENINSULA, UNIT NO. 2, in the County of Klamath, State of Oregon;

Subject, however, to the following:

1. An easement created by instrument, including the terms and provisions thereof,

Recorded : February 27, 1959 Book: 310 Page: 175
In Favor Of : Klamath Telephone Co.
For : Right of way. (Affects SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27; NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34, Township 34 South, Range 7 East of the Willamette Meridian).

2. Restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, as shown on the recorded plat of Winema Peninsula Unit No. 2.

(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 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 \$

~~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 \textcircled{D} , 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 20th day of April, 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)

David B. Fleming aka David Brooks Fleming

STATE OF OREGON,

County of Klamath

April, 20, 1978

Personally appeared the above named David B. Fleming aka David Brooks Fleming

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 3-22-81

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:

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return for:

TA Branch

NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of Klamath

I certify that the within instrument was received for record on the 26th day of May, 1978, at 3:27 o'clock PM, and recorded in book 1178 on page 11282 or as file/reel number 49093, Record of Deeds of said county.

Witness my hand and seal of County affixed.

Wm. D. Milne

Recording Officer
By _____ Deputy

Fee \$3.00