

L# 01-41593 M/T 6442

FORM No. 716—WARRANTY DEED (Individual or Corporate). (Grantees as Tenants by Entirety).

STEVENS-NEES LAW PUBLISHING CO., PORTLAND, OR. 97224

1-1-74

49425

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 177 Page 11803

KNOW ALL MEN BY THESE PRESENTS, That Thomas L. Phipps and Kay L. Phipps, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Steven R. Hargrove and Barbara L. Hargrove, 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 11 in Block 4 FIRST ADDITION TO BANYON PARK, TRACT NO. 1087, 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. Building setback line 25 feet from front of lot as shown on dedicated plat.
3. A 16 foot utility easement over rear portion of lot, as shown on dedicated plat.
4. Reservations and restrictions as shown on dedicated plat, to-wit: "Subject to: (1) A 25 foot building setback on the front of all lots and a 20 foot building setback line along side street lines; (2) Easements as shown on the annexed map for construction and maintenance (for continuation of this document see reverse side of this deed)

(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 \$41,000.00

~~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 31 day of May, 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)

Thomas L. Phipps

Kay L. Phipps

STATE OF OREGON,) ss.
County of Klamath
May 31, 19 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 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:

(OFFICIAL SEAL)

(OFFICIAL SEAL)

Before me: Deborah K. Karch

Notary Public for Oregon

My commission expires 12-6-81

Notary Public for Oregon

My commission expires:

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Klamath First Federal
2943 South 6th
City

NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

STATE OF OREGON,) ss.

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

11809

of public utilities and irrigation said easements to provide ingress and egress with any plantings or structures placed thereon by lot owners to be at their own risk; (3) Additional restrictions as provided in any recorded protective covenants."

5. Reservations and restrictions as contained in instrument recorded in Volume 226, page 191, Deed Records of Klamath County, Oregon, to-wit: "Subject to use or irrigation rights, ditches, water and drainage rights, and for irrigation purposes for the benefit of adjoining property owners on the West side of the above described property; and subject to all contracts and agreements with the United States of America and/or the Klamath Irrigation District relative to irrigation and/or drainage, and any existing rights of way for ditches or canals heretofore conveyed or used in connection herewith, and subject to all rights and easements, if any, affecting said property.."

6. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms and provisions thereof, recorded December 23, 1974 in Volume M-74, page 16182, Microfilm Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

led for record at request of Mountain Title Co.

the 2nd day of June A. D. 1978 at 3:42'clock PM., and

fully recorded in Vol. M78, of Deeds on Page 11808

W^m D. MILNE, County Clerk

Burnetha A. DeLoach

Fee \$6.00