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01-11251

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

STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR 97204

01-11251

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. M

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KNOW ALL MEN BY THESE PRESENTS, That Erik A. Peterson and Carolyn L. Peterson, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Robert E. Smith and Sidnee A. Smith, 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 3 in Block 2, COUNTRY GARDENS, 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 Klamath Irrigation District.
2. A 20 foot building setback as shown on dedicated plat.
3. Irrigation, drainage and utility easements over the Easterly 16 feet as shown on dedicated plat.
4. Reservations as contained in plat dedication, to wit:
"Subject to: (1) a 20 foot building setback along Homedale Road;
(2) Easements for the construction and maintenance of public
(For continuation of this deed 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 \$ 50,500.00. ~~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 @, if not applicable, should be deleted. See ORS 93.930.)

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 9 day of June, 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)

Erik A. Peterson
Erik A. Peterson

Carolyn L. Peterson
Carolyn L. Peterson

STATE OF OREGON, }
County of Klamath } ss.
June 9, 1978

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)

(OFFICIAL SEAL)

Before me: *Rich Owens*

Notary Public for Oregon

My commission expires 5-14-80

Notary Public for Oregon

My commission expires:

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Klamath First Federal
540 Main
City

NAME, ADDRESS, ZIP

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

same as above.

NAME, ADDRESS, ZIP

STATE OF OREGON,

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/real number _____ Record of Deeds of said county. Witness my hand and seal of County affixed.

By _____

Recording Officer
Deputy

12435

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utilities and irrigation and drainage ditches as shown on the annexed plat; (3) No changes will be made in the present irrigation water drain ditches without the consent of the Klamath Irrigation District, its successors or assigns; (4) And all protective cover is filed under separate cover; (5) Dedicate, donate and convey to Klamath County the area shown on the annexed plat as (a) a 1 foot street plat; (b) the South 30 ft. of Johns Avenue (extended); (c) and a 10 foot strip along the West side of Lots 13, 14, & 15, Block 1, said area to be designated as a public street when the county governing body deems it necessary; (6) Access to Johns Avenue (extended) prohibited for Lots 1, 2 & 3, Block 1."

5. 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 2, 1971, in Volume M71, page 12674, Microfilm Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.
this 12th day of June A. D. 1978 at 10:50 clock AM., andfully recorded in Vol. M78, of Deeds on Page 12434

Wm D. MILNE, County Clerk

By Bernetha A. Hirsch

Fee \$6.00