

A-2-8997 50176

WARRANTY DEED - SURVIVORSHIP Vol. 78 Page 12921

KNOW ALL MEN BY THESE PRESENTS, That Merle C. Harvey and Lynnette G. Harvey, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Gary R. Kester and Susan E. Davies, hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of said grantees, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining situated in the County of Klamath, State of Oregon, to-wit:

Beginning at a point on the East line of Lot 59 of Fair Acres Subdivision No. 1, which point is 71 feet North of the Southeast corner of said Lot 59; thence North 55 feet along said East line; thence West to the West line of said Lot 59; thence South along the West line of said Lot 59 to a point 71 feet North of the Southwest corner of said Lot 59; thence East to the point of beginning.

Saving and excepting therefrom that portion thereof lying within the right of way of Homedale Road.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their assigns and the heirs of such survivor, forever; provided that the grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.

And the grantor above named hereby covenants to and with the above named grantees, their heirs and assigns, that grantor is lawfully seized in fee simple of said premises, that same are free from all encumbrances except easements and rights of way of record and apparent on the land, liens and assessments of Klamath Irrigation District and South Suburban Sanitary District;

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 \$ 45,900.00

~~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 93.030.)

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 16th 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)

*Merle C. Harvey*  
*Lynnette G. Harvey*

STATE OF OREGON,  
County of Klamath, ss.  
June 16, 1978

STATE OF OREGON, County of \_\_\_\_\_, ss.  
June 16, 1978

Personally appeared \_\_\_\_\_ and \_\_\_\_\_

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 \_\_\_\_\_

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: \_\_\_\_\_

Personally appeared the above named Merle C. Harvey and Lynnette G. Harvey and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public for Oregon  
My commission expires 4/15/81

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

Gary R. Kester  
Rt. 2, Box 725  
Klamath Falls  
NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON,  
County of Klamath, ss.

I certify that the within instrument was received for record on the 16th day of June, 1978, at 12:51 o'clock P.M., and recorded in book M78 on page 12921 or as file/reel number 50176

Record of Deeds of said county.  
Witness my hand and seal of County affixed.

Wm. H. Hillne  
By \_\_\_\_\_ Recording Officer  
Deputy

Fee \$3.00