

1-1-74

51967

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. <sup>M</sup>78 Page

15602

KNOW ALL MEN BY THESE PRESENTS, That Frank E. McBain, Jr. and Betty J. McBain, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Richard Henry Mitchell, Sr. and Mary Rose Mitchell, 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:

The S½ SE½ SW½ in Section 31, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

Subject, however, to the following:

1. Rights of the public in and to those portions of the herein described property lying within the limits of public roads and highways, as more specifically set forth in Land Status Reports, recorded August 15, 1958, in Deed Volume 302 at page 124, and at page 126, Records of Klamath County, Oregon.

2. Right-of-way Easement, including the terms and provisions thereof, recorded December 6, 1973 in Volume M73, page 15786, Microfilm Records of Klamath County, Oregon, from Frank E. McBain, Jr. and Betty J. McBain, husband and wife, to Pacific Power & Light Company, a corporation, for electric transmission and distribution line.

(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 \$10,249.56.

~~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 27th 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)

Frank E. McBain Jr.  
Betty J. McBain

STATE OF OREGON,

County of Klamath  
June 27, 1978

ss.

Personally appeared the above named Frank E. McBain, Jr. and Betty J. McBain, 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 8-23-81

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)

Notary Public for Oregon

My commission expires:

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Richard H. Mary Rose Mitchell  
P.O. Box 223  
Beatty, Ore 97621  
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 Klamath ss.

I certify that the within instrument was received for record on the 19th day of July, 1978 at 3:24 o'clock P.M., and recorded in book M78 on page 15602 or as file/reel number 51967, Record of Deeds of said county.

Witness my hand and seal of County affixed.

Wm. D. Milne

By \_\_\_\_\_ Recording Officer  
Deputy

Fee \$3.00