

mtc 6048

STANDARD PUBLISHING CO., PORTLAND, OR 97204

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WARRANTY DEED - TENANTS BY ENTIRETY

Vol. n 78 pg 21419

KNOW ALL MEN BY THESE PRESENTS, That Jack E. Burniston and Arlene Margaret Burniston, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantee paid by Ernest J. Myers and Cheryl J. Myers, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey, with the covenants, hereditaments and appurtenances thereunto belonging or appearing, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

Lot 16, Block 2, Klamath River Sportsman Estates, 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. Taxes for the fiscal year 1978-1979, a lien, but not yet due, and payable.
2. Agreement and release, including the terms and provisions thereof, pertaining to the control of water level of Klamath Lake, recorded December 21, 1971 in Volume 95, page 441, Deed Records of Klamath County, Oregon.
3. Building setback line, 20 feet wide, along Fawn Lane and Mustang Road as shown on dedicated plat.
4. Restrictions as contained in plat dedication, to-wit: "Said plat subject to: (1) a 16 foot public utilities easement as shown on the annexed plat and also a 16 foot public (for continuation of this deed see reverse side of this document);

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 lawfully seizes 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 \$ 33,000.00

Whereupon the parties hereto have caused this deed to be signed and sealed by their respective hands and seals, and have caused the same to be signed and sealed by their respective officers and agents, in presence of the undersigned, a Notary Public for Oregon, and the same to be recorded in the public records of the County of Deschutes, State of Oregon, to-wit: the said deed is hereby acknowledged by the said Jack E. Burniston and Arlene Margaret Burniston, husband and wife, as the true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 33,000.00

In construing this deed and when 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 25 day of September, 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.

Jack E. Burniston
Arlene Margaret Burniston
 Jack E. Burniston
 Arlene Margaret Burniston

STATE OF OREGON,)
 County of Deschutes)
 September 25, 1978.

Personally appeared the above named Jack E. Burniston and Arlene Margaret Burniston, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

John L. Wilson
 Notary Public for Oregon
 My commission expires 12-31-81

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: _____

RECORDING OFFICE
 92601

Ernest J. Myers
Cheryl J. Myers
 Klamath Falls, OR 97601

No charge

STATE OF OREGON, } ss.
 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/roll number _____.

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

By _____ Recording Officer
 _____ Deputy

utilities easement centered on the back and sideline of all subdivided lots. (1) a 10 foot building setback line along the front of all lots. (1) additional restrictions as provided in any recorded restrictive covenants.

3. 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, in the recorded May 6, 1963 in Volume M68, page 4084, Microfilm Records of Klamath County, Oregon.

6. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein. Dated: June 16, 1976. Recorded: June 17, 1976. Volume: M76, page 9622. Microfilm Records of Klamath County, Oregon.

Amount: \$20,000.00

Grantor: Jack F. Burniston and Arlene Margaret Burniston, husband and wife

Trustee: William Canong, Jr.

Beneficiary: First Federal Savings and Loan Association of Klamath Falls, Oregon, which Grantees herein assume and agree to pay according to the terms and conditions thereof to Klamath First Federal Savings and Loan Association of Klamath Falls, Oregon, the unpaid principal balance of which is \$12,079.98 with interest paid to September 1, 1978.

STATE OF OREGON; COUNTY OF KLAMATH;

for record at request of Mountain Title Co.

27th day of September A. D. 1978 at 9:50 A. M. and

filed in Vol. M76 of Deeds on Page 21419

W. D. MILNE, County Clerk

By *Barbara A. Smith*

Fee \$6.00

Recorded in Volume M76 Page 21419

RECEIVED
E. BURNISTON AND ARLINE BURNISTON
MOUNTAIN TITLE CO.

1978-11-12

RECEIVED
MOUNTAIN TITLE CO.