

1-31041

FORM NO. 176—INSTRUMENTS FOR RECORDING IN THE COUNTY OF Klamath, Oregon, or County of Joseph, Oregon.

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55894

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 778 Page 21808

KNOW ALL MEN BY THESE PRESENTS That Owens Development Company, an Oregon corporation

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Jay J. Elliott and Noelle S. Elliott, 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 21 in Block 2 of Tract 1145, Nob Hill, a resubdivision of portions of Nob Hill, Irvington Heights, Mountain View Addition and El Dorado Heights, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Subject to reservations in the dedication of said Tract 1145 and to Conditions and Restrictions recorded April 18, 1978, Vol. 778, page 7560, Deed Records of Klamath County, Oregon. Also subject to slope easements adjacent to any and all roads, streets, and rights of way which are determined to be necessary by Hammond Engineering, or Grantor's successor engineer, if any, and contained in a declaration thereof titled and recorded in the same manner as a deed on or before December 1, 1978.

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 seised in fee simple of the above granted premises, free from all encumbrances

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 \$ 15,000.00

However, the actual consideration received or to be received by the grantor includes other property or value given or promised which is the same consideration indicated by the symbol §. (The number between the symbol §, 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 29 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.

By J. Bruce Owens Pres.  
By E. Marie Owens Sec.

If executed by a corporation with corporate seal:

STATE OF OREGON,

County of \_\_\_\_\_

Personally appeared the above named \_\_\_\_\_

Personally appeared the above named \_\_\_\_\_

and acknowledged the foregoing instrument to be voluntarily signed and done.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1978.

(OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires \_\_\_\_\_

STATE OF OREGON, County of Klamath ) ss.  
September 29, 1978

Personally appeared J. Bruce Owens and E. Marie Owens 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 Owens Development Company

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.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1978.  
Notary Public for Oregon  
My commission expires \_\_\_\_\_

J. Bruce Owens

(OFFICIAL SEAL)

STATE OF OREGON,

County of Klamath

I certify that the within instrument was received for record on the 2nd day of October, 1978, at 9:05 o'clock A.M., and recorded in book 778 on page 21808 or as file/roll number 55894.

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

Wm. D. Milne

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

Fee \$3.00

NAME ADDRESS