

58234

WARRANTY DEED-TENANTS BY ENTIRETY

Vol. 78 Page 25463

KNOW ALL MEN BY THESE PRESENTS, That Daniel L. Jensen and Nina M. Jensen, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Joseph M. Themins and Karen A. Themins, 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:

Lots 21, 22, and 23 in Block 12 of St. Francis Park, according to the official plat thereof, together with the South half of the vacated alley lying immediately North of the above described property, all 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 year 1978-1979.
 2. Liens and assessments of Klamath Project and Enterprise Irrigation District, and regulations, contracts, easements, and water and irrigation rights in connection therewith.
 3. Rules, regulations and assessments of South Suburban Sanitary District.
- (For continuation of this document, see reverse side of this deed.)

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 \$28,000.00. ~~However, the actual consideration consists of or includes other property or value given or promised which is 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 9 day of November, 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)

STATE OF OREGON,
County of Klamath } ss.
November 7, 1978

STATE OF OREGON, County of _____) ss.
Personally appeared _____, 19____

Personally appeared the above named Daniel L. Jensen and Nina M. Jensen, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

_____ 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 _____

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: *B. Nelson*
Notary Public for Oregon
My commission expires 2-3-79

Notary Public for Oregon
My commission expires: _____ (OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return for
First National Bank of OR
P.O. Box 1936
Klamath Falls, OR 97601
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.
Joseph M. Themins
4657 Rock Drive
Klamath Falls, OR 97601
NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of _____) ss.

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

By _____ Recording Officer
Deputy

25464

25464

4. Reservations and restrictions in the dedication of St. Francis Park, as follows:
"...saving and excepting the right is hereby reserved by the dedicators, their heirs, successors and assigns, the privilege to install, operate and maintain, repair and remove water, sewer and gas pipes, conduits, ditches and mains and electric light and telephone poles and wires, on, along, under and over the said streets, alleys and boulevards; also the right is hereby reserved to conduct water through ditches or pipes for irrigation and domestic or drainage purposes, across all streets, alleys, boulevards and lots."
5. Reservations and restrictions in deed from George S. Rusco and Esther Rusco, husband and wife, to Harold R. Burritt and Maxine Burritt, husband and wife, dated July 1, 1939, recorded July 1, 1939, in Deed Volume 123 at page 159, records of Klamath County, Oregon, as follows:
"...subject to the following restrictions: 1. The value of dwelling houses to be constructed on said property shall be in the amount of not less than \$2,000.00 of approved floor plans and designs to be approved by grantor. 2. The principal buildings shall be built on a building line 25 feet from the property lines fronting streets."
6. The right of way for utilities reserved to the public disclosed in the proceedings for the vacation of said alley on file and of record in the office of the County Clerk of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Subscribed and sworn to before me for record at request of: Klamath County Title Co

on the 13th day of November, A. D. 1978, at 2:23 clock PM., on

and duly recorded in Vol. M78, of Deeds on Page 25464

Wm D. MILNE, County Clerk

By Bernice A. Hetch

Fee \$6.00