

59080

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 1176 Page 26879

WE KNOW ALL MEN BY THESE PRESENTS, That Lowell O. Pellersels and Rita R. Pellersels, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Edward D. Morse and Lena M. Morse, 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:

That portion of Tract 13 of Junction Acres, more particularly described as follows: Commencing at a point on the North line of Tract 13 of Junction Acres Subdivision 154 feet Easterly from the Northwest corner of said Tract 13; thence Easterly 150 feet, more or less to a point; thence South 664 feet, more or less, to a point; thence West 150 feet, more or less, to a point due South of the point of beginning; thence North 664 feet, more or less, to the point of beginning.

Subject, however, to the following:

1. Liens and assessments of Klamath Project and Enterprise Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.
2. Any unpaid charges or assessments of Enterprise Irrigation District. (For continuation of this document, see reverse side of this deed.)

(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 \$36,000.00

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 20th 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)

Lowell O. Pellersels  
Rita R. Pellersels  
Rita R. Pellersels

STATE OF OREGON, )  
County of Klamath ) ss.  
November 20, 1978

Personally appeared the above named, Lowell O. Pellersels and Rita R. Pellersels, husband and wife,

and acknowledged the foregoing instrument as their voluntary act and deed.

Before me, *Donna B. Hamilton*  
Notary Public for Oregon  
My commission expires 3/30/81

STATE OF OREGON, County of ) ss.  
November 20, 1978

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

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

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, ) 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/reel number \_\_\_\_\_, Record of Deeds of said county. Witness my hand and seal of County affixed.  
By \_\_\_\_\_ Recording Officer  
Deputy

3. Reservations and restrictions contained in deed from C. C. Kelley et ux and R. L. Orem et ux to Archie C. Gibson et ux dated May 29, 1928, recorded June 4, 1928, in Deed Volume 78, page 547, and in Deed from C. C. Kelley et ux and R. L. Orem et ux to Alfred D. Collier, dated July 25, 1928, recorded September 26, 1929, in Deed Volume 89, page 174, records of Klamath County, Oregon, as follows: "...excepting from this conveyance a right of way for irrigation ditches or canals of sufficient width and depth over and across said premises to convey 100 inches (miners' measure) of water at any place on said premises selected by the grantors or their assigns herein, together with a right to ingress to and egress from the same for repairing and maintaining said ditches or canals."

STATE OF OREGON, COUNTY OF KLAMATH: ss.

Filed for record at request of

3:52

the 29th day of November A. D. 1978 at 6 o'clock PM, and

is recorded in Vol. M-78 of Deeds on Page 26879

Wm D. MILNE, County Clerk

By *Jacqueline J. Milne*

Fee \$6.00

And unpaid charges in connection of this deed. (For continuation of this deed.)

T-111111 and to hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And further hereby covenant 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.

It may be of the date of this deed.

Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whatsoever, except those claiming under the above described circumstances.

The true and actual consideration paid for this transfer, stated in terms of dollars is \$30,000.00.

However, the actual consideration consists of or includes other property or value given or promised which is described in the instrument.

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 29th day of November, 1978.

If a corporate grantor, it has caused its name to be signed and sealed by its officers, duly authorized thereto by order of its board of directors.

Rita R. Peljersels  
Howard O. Peljersels

It is certified that a preliminary map was recorded.

STATE OF OREGON, County of Klamath

November 29, 1978

Personally appeared each for himself and not one for the other, viz: that the former is the president and that the latter is the secretary of

Howard O. Peljersels and Rita R. Peljersels, husband and wife

and acknowledged the foregoing instrument

voluntarily and in full knowledge of the contents thereof

Before me

OFFICIAL (SEAL)

Notary Public for Oregon  
My commission expires

My commission expires 3/22/84

STATE OF OREGON

County of  
I certify that the within instrument was recorded for record on the day of \_\_\_\_\_, 1978, at \_\_\_\_\_ o'clock PM, and recorded in book \_\_\_\_\_ on page \_\_\_\_\_ of the \_\_\_\_\_ Record of Deeds of said county.

Witness my hand and seal of County of \_\_\_\_\_

Recording Officer  
Deputy