

WARRANTY DEED TO CREATE ESTATE IN THE ENTIRETY

This Indenture Witnesseth, THAT EDWARD R. McELIGOTT and ESTHER McELIGOTT,

husband and wife, hereinafter known as grantors, for and in consideration of the sum of - - - - Ten and 00/100 - - - - Dollars,

to them paid, have bargained and sold, and by these presents do grant, bargain, sell and convey unto WALTER SMITH, JR. and DOROTHY M. SMITH,

husband and wife, the following described premises, situated in Klamath County, Oregon,

to-wit: The S½SW¼ of Sec. 11; NE¼NW¼ of Sec. 14; also all that portion of the SE¼SW¼ of Sec. 10 and of the NW¼SW¼ of Sec. 14 and of the NE¼SW¼ of Sec. 15 lying Easterly of the Easterly line of the Drain Ditch, said Easterly line of said Drain Ditch being more particularly described as follows: Beginning at an iron pin at the intersection of the North boundary of the SE¼SW¼ of said Sec. 10 and the Easterly boundary of the Drain Ditch, said point being East a distance of 240.00 feet and S. 38°50' East a distance of 1712.4 feet from the iron pin marking the North 1/4 corner of said Sec. 15; thence North 38°50' West a distance of 2351.2 feet; thence North 12°21' West a distance of 836.5 feet to the East-West fence line accepted as the North boundary of the SE¼SW¼ of said Sec. 10. All said real property lying and being situated in Township 40 S.R. 13 E.W.T. EXCEPTING from the above described property all those portions thereof acquired by the United States of America described in Deeds recorded in Vol. 59 at page 20; Vol. 222, page 477 and Vol. 235, page 50, Deed Records of Klamath County, Oregon, and EXCEPTING also, all portions thereof contained in existing roadways, ditches, and canals and laterals.

SUBJECT TO: Contracts and/or liens for irrigation and/or drainage of Langell Valley Irrigation District; Reservation in United States Patents and State Deeds; Easement granted to United States of America recorded in Vol. 76 at page 21, Deed Records of Klamath County, Oregon; Easements granted to The California Oregon Power Co. recorded in Vol. 140 at page 241 and Vol. 183 at page 11, Deed Records of Klamath County, Oregon; Easement granted to Langell Valley Irrigation District recorded in Vol. 253 at page 482, Deed Records of Klamath County, Oregon.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said grantees as an estate by the entirety. And the said grantors do hereby covenant, to and with the said grantees, and their assigns, that they are the owners in fee simple of said premises; that they are free from all incumbrances, except those above set forth,

and that they will warrant and defend the same from all lawful claims whatsoever, except those above set forth.

IN WITNESS WHEREOF, They have hereunto set their hands and seals this 31st day of December 19 62.

ALASKA
STATE OF OREGON, } ss.
County of Klamath

Edward R. McElligott (SEAL)
Esther McElligott (SEAL)
(SEAL)
(SEAL)

BE IT REMEMBERED, That on this 31st day of December A. D. 19 62, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Edward R. McElligott and Esther McElligott, husband and wife, who are known to me to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

From Office of
GANONG & GANONG
First Federal Building
Klamath Falls, Oregon

Ret. *Whispering Springs Ranch*
Rt 1 Box 57
Bonanza, Cal. 96005

Notary Public for Oregon, Alaska
My Commission Expires 3/1/63

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~XXXXXX~~

this 3rd day of January A. D. 19 79 at 12:58 o'clock P. M., and

duly recorded in Vol. 179 of DEEDS on Page 265

FEE \$ 3.00

W. D. MILNE, County Clerk

By *Jacqueline J. Miller*