

WARRANTY DEED—TENANTS BY ENTIRETY

KNOW ALL MEN BY THESE PRESENTS, That ROBERT E. NYE and SARAH M. NYE, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by GALEN MARK EVERSOLE and SANDRA HOLT, 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: The Southerly 320.5 feet of that portion of Government Lot 10, Section 27, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying Westerly of the Southern Pacific Railroad right of way.

SUBJECT, however, to the following: 1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

2. Rights of the public and of governmental bodies in and to any portion of the herein described premises lying below the high water mark of the Williamson River. (For a continuation of the description, see the reverse side.)

(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, 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 \$10,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 9th day of January, 1979; 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.

Robert E. Nye (Signature)

Sarah M. Nye (Signature)

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Klamath, ss. I, Notary Public for Oregon, do hereby certify that the within instrument was duly recorded in my office on the 9th day of January, 1979.

Personally appeared the above named Robert E. Nye and Sarah M. Nye, 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: Notary Public for Oregon, My commission expires Oct. 5, 1979. (Official Seal)

Robert E. & Sarah M. Nye, 222 G Street, Apt 114, Chula Vista, CA 92010

Galen Mark Eversole & Sandra Holt, PO Box 174, Chiloquin, OR 97624

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SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of Klamath, ss. I certify that the within instrument was received for record on the 9th day of January, 1979 at 10 o'clock A.M., and recorded in book 100 on page 100 or as file/reel number 100. Record of Deeds of said county. Witness my hand and seal of County affixed. Recording Officer, Deputy

WARRANTY DEED - TENANTS BY ENTIRETY

Continuation of Description

3. Reservations, restrictions and easements, including the terms and provisions thereof, contained in Deed recorded in Volume 309 page 569 Records of Klamath County, Oregon, as follows: there is reserved from the lands hereby allotted, a right of way thereon for ditches or canals constructed by the authority of the United States. Also subject to rights for railroad purposes as the Oregon Eastern Railway may have under the Act of March 2, 1899.

4. Reservations, restrictions and easements, including the terms and provisions thereof, contained in Land Status Report recorded in Volume 310 page 350, Records of Klamath County, Oregon, as follows:

"A. Right of Way for railroad by the Oregon Central and Eastern Railway Company, which was later succeeded by the Central Pacific Railway Company, and later on succeeded by the Southern Pacific Railway Company, approved by A.W. Jones, First Assistant Secretary, Department of the Interior, on February 4, 1914, pursuant to the provisions of the Act of March 2, 1899 (30 Stat. L. 990) as amended by the Act of June 25, 1910 (36 Stat. L. 855-9), and Departmental regulations thereunder, and subject also to any prior, valid, existing right or adverse claim."

The above described property is subject to all other existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record; and there is reserved any and all roads, trails, telephone lines, etc., actually constructed by the United States, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States (Dept. Instr. January 13, 1916 44 L. D. 513).

5. Reservations as contained in Deed recorded in Volume M67 page 1955 (Microfilm Records of Klamath County, Oregon, Earl J. Scherer and Hallie E. Scherer husband and wife, Grantor, and John Kalita and Eleanor C. Kalita, husband and wife, Grantee, as follows:

"SUBJECT TO A Joint user roadway easement over the Easterly 60 feet thereof."

Robert E. Nye
 Robert E. Nye

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Sarah M. Nye
 Sarah M. Nye

Recorded for record at request of Mountain Title Co.

STATE OF OREGON County of _____
 this 23rd day of January A. D. 1929 at 10:20 o'clock AM, or

personally appeared _____
 duly recorded in Vol. M79 of Deeds on Page 1916

W. D. MILNE, County Clerk

By Suzetta A. Hetsch

Fee \$6.00

OFFICIAL SEAL

My commission expires _____
 My commission expires _____
 My commission expires _____

STATE OF OREGON
 County of _____
 I certify that the within instrument was received for record on this _____ day of _____ at _____ o'clock _____ and recorded in book _____ the _____ page of said _____ Record of Deeds of said county. Witness my hand and seal of County clerk.

By _____
 Recording Officer
 Deputy

Robert E. Nye
 223 G Street, Apt 11A
 Chula Vista, CA 92010

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 ED Box 174
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