

1-1-74

65010

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 119 Page 7378

KNOW ALL MEN BY THESE PRESENTS, That..... WILLIAM K. KALITA

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by RALPH E. COLEMAN and DIANE L. COLEMAN..... 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:

A portion of Lot 26 of Section 18, Township 35 South Range 7 East of the Willamette Meridian, Klamath County, Oregon, being a strip of land bounded on the East by the West boundary of State Highway No. 427, bounded on the west by Agency Lake, bounded on the South by the South line of Lot 26 and bounded on the North by a line 110 feet North of and parallel to the South boundary of said Lot 26.

SUBJECT, however, to the following:

1. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Agency Lake.

2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

(For a continuation of this 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, 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 \$12,500.00

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 3rd day of April, 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.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Klamath, ss.

County of Klamath, ss. April 3, 1979

Personally appeared the above named.....

William K. Kalita

and acknowledged the foregoing instrument, to be his voluntary act and deed.

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:

(OFFICIAL SEAL)

(OFFICIAL SEAL)

Before me: Sharon Allen, Notary Public for Oregon, My commission expires 10-5-82

Notary Public for Oregon, My commission expires:

William K. Kalita  
PO Box 431  
Chiloquin, OR 97624  
GRANTOR'S NAME AND ADDRESS

Ralph and Diane L. Coleman  
314 N.W. 4th St.  
Grants Pass, OR 97526  
GRANTEE'S NAME AND ADDRESS

After recording return to:  
Ralph and Diane Coleman  
134 N.W. 4th St.  
Grants Pass, OR 97526  
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:  
Ralph and Diane Coleman  
314 N.W. 4th St.  
Grants Pass, OR 97526  
NAME, ADDRESS, ZIP

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

SPACE RESERVED FOR RECORDER'S USE

77 APR 4 AM 11 20

Continuation of description:

WILLIAM K. KALITA

KNOW ALL MEN BY THESE PRESENTS, THAT

3. Reservations as contained in Land Status Report recorded September 28, 1958 in Volume 304 page 132 of Deed Records of Klamath County, Oregon, to wit: (A) Agreement entered into on May 4, 1925, by and between Edward M. Johnson Klamath Allottee No. 1156, and Hessie Moses Johnson, his wife, parties of the first part, and The California Oregon Power Company, a California corporation, pertaining to a certain contract with the United States of America dated February 24, 1917 and later amended and supplemented, which agreement dated May 4, 1925 mentioned above authorizes the party of the second part to regulate and control the water levels of Upper Klamath Lake. Agreement approved by Roy V. West, Secretary of the Interior on July 27, 1928, pursuant to the provisions of the Act of June 25, 1910 (36 Stat. L., 855).

(B) Right of way to Klamath County Court for highway, approved by E. M. Goodwin, Assistant Secretary of the Interior, on May 28, 1924, pursuant to the provisions of the Act of March 3, 1901 (31 Stat. L. 1058-1084).

(C) Right of way to California Oregon Power Company for amendment of transmission line license, approved by Oscar L. Chapman, Acting Assistant Secretary of the Interior, on December 19, 1941, pursuant to the Act of March 4, 1911, (36 Stat. 1253).

(D) The abovescribed property is subject to any other 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 hereby 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. 413).

4. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein, which buyer does not assume or agree to pay and seller herein covenants that he will hold buyer harmless therefrom.

Dated: October 14, 1977  
Recorded: October 14, 1977  
Volume: M77, page 19745, Microfilm Records of Klamath County, Oregon  
Amount: \$21,000.00

Mortgagor: William K. Kalita  
Mortgagee: John C. Argetsinger and Doris J. Argetsinger, husband & wife

(With other property.)

STATE OF OREGON, COUNTY OF KLAMATH; ss.

led for record at request of Mountain Title Co.

this 4th day of April

A. D. 1979 at 11:28 o'clock AM, time

fully recorded in Vol. M79

of Deeds

on Page 7378

Wm D. MILNE, County Clerk

*Bernetha S. Satch*

Fee \$6.00

OFFICIAL (SEAL)

My commission expires

<p>STATE OF OREGON</p> <p>County of</p> <p>I certify that the within instrument was recorded for record on the day of 1979 at o'clock M., and recorded in book on page of the record of Deeds of said county. Witness my hand and seal of County, this day of 1979.</p> <p>Recording Officer Deputy</p>	<p>William K. Kalita</p> <p>60 Box A31</p> <p>Chiloquin, OR 97624</p> <p>Ralph and Diane L. Coleman</p> <p>314 N.W. 4th St.</p> <p>Granger Pass, OR 97626</p> <p>Ralph and Diane Coleman</p> <p>314 N.W. 4th St.</p> <p>Granger Pass, OR 97626</p> <p>Ralph and Diane Coleman</p> <p>314 N.W. 4th St.</p> <p>Granger Pass, OR 97626</p>
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