

1-1-76 0269590

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. M 79 Page 15014

KNOW ALL MEN BY THESE PRESENTS, That Ann Mitchell, husband and wife, Michael Steven Mitchell and Rebecca

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by David E. Howard and Shannon L. Howard, 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:

Lot 23, Block 3, Tract No. 1120, SECOND ADDITION TO EAST HILLS ESTATES, in the County of Klamath, State of Oregon.

Subject, however, to the following:

1. Regulations, including levies, liens and utility assessments of the City of Klamath Falls.
  2. Regulations, including levies, liens, assessments, rights of way and easements of the Moyina Water District.
  3. Regulations, including levies, liens, assessments, rights of way and easements of the South Suburban Sanitary District.
  4. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Basin View Drainage 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 \$83,900.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 day of June, 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)

Michael Steven Mitchell  
Rebecca Ann Mitchell

STATE OF OREGON,  
County of Klamath } ss.  
June 22, 1979

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
\_\_\_\_\_, 19\_\_\_\_.

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:

(OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires: \_\_\_\_\_

Personally appeared the above named Michael Steven Mitchell and Rebecca Ann Mitchell, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: *Ruth Owens*  
(OFFICIAL SEAL) Notary Public for Oregon  
My commission expires 5-14-80

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

KFF-Main

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

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.

Recording Officer

By \_\_\_\_\_ Deputy

5. Restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, as shown on the recorded plat of East Hills Estates, as follows:  
(a) Easements for future public utilities and drainage as shown on the annexed plat, said easements to provide ingress and egress for construction and maintenance of said utilities and drainage.  
(b) Said lands are within the Basin View Drainage District and are subject to all rules, regulations and assessments of said Drainage District.  
(c) A 25 foot building set back line on the front of all lots and a 20 foot building set back line along side street lines.  
(d) All easements and reservations of record and additional restrictions as provided in any recorded protective covenants.  
6. Covenants, easements and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms thereof,  
Recorded : January 30, 1976 Book: M-76 Page: 1419  
Amended : March 10, 1976 Book: M-76 Page: 3417  
(Affects portion in East Hills Estates)  
7. Restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, as shown on the recorded plat of Tract No. 1120, Second Addition to East Hills Estates.

STATE OF OREGON; COUNTY OF KLAMATH;

Filed for record at request of Transamerica Title co.

this 25th day of June A. D. 1979 at 3:38 clock PM., on  
filed recorded in Vol. 179, of Deeds on Page 15014

Wm D. MILNE, County Clerk

By Bernetha A. Hetcher

Fee \$6.00