

1-1-74

75883

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 79 Page 25012



KNOW ALL MEN BY THESE PRESENTS, That Kit Carter and Nancy L. Carter, husband and wife hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Jay W. Shanor II and Beth E. Shanor, 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 the NE $\frac{1}{4}$ of Section 21 lying West of State Highway No. 97 in Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described in the attached description marked 'Exhibit "A"' and by this reference made a part hereof.

The intent of this deed is to convey any existing and forthcoming interest in the above described property.

(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 those apparent upon the land, if any.

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 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 4 day of October, 1979; and it has caused its name to be signed and sealed by its officers, duly authorized thereto by

STATE OF CALIFORNIA,

COUNTY OF SHASTA

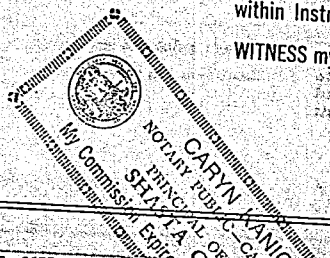
ss.

25013

ON OCTOBER 10th, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared KIT CARTER AND NANCY L. CARTER

to be the person(s) whose name(s) ARE subscribed to the within Instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.



Caryn Kanch
Notary Public in and for said State.

COMMISSION EXPIRES 7-31-81

LN 150

Kit Carter, et ux
2431 Christian Avenue
Redding, CA 96001

GRANTOR'S NAME AND ADDRESS

Jay W. Shanor II, et ux
P.O. Box 556
Chiloquin, OR 97624

GRANTEE'S NAME AND ADDRESS

After recording return to:

Jay W. Shanor II, et ux
P.O. Box 556
Chiloquin, OR 97624

NAME, ADDRESS, ZIP

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

Jay W. Shanor II, et ux
P.O. Box 556
Chiloquin, OR 97624

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of 1979,

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

SPACE RESERVED FOR RECORDER'S USE

EXHIBIT "A"
LEGAL DESCRIPTION

25014

A portion of the NE $\frac{1}{4}$ of Section 21 lying West of State Highway No. 97 in Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the intersection of the North line of said Section 21 and the Westerly right-of-way line of State Highway No. 97, said point also being North 89° 38' 45" West 468.2 feet from the Northeast corner of said Section 21; thence North 89° 38' 45" West, along the North line of said Section 21, 900.34 feet to the true point of beginning of this description; thence South 1° 56' 30" West 1089.47 feet; thence South 88° 03' 30" East 900 feet to the Westerly right-of-way line of said Highway No. 97; thence South 1° 56' 30" West, along said right-of-way line, 580 feet, more or less, to the center of a road approach to said Highway No. 97; thence following the centerline of said road, the meander line being as follows:

South 64° 44' West, 253.0 feet;
South 63° 47' West, 213.4 feet;
North 57° 27' West, 323.3 feet;
North 76° 06' West, 136.0 feet;
North 60° 27' West, 129.6 feet;
North 33° 58' West, 191.0 feet;
North 11° 01' West, 92.1 feet;
North 39° 16' West, 56.0 feet;

Thence, leaving said road, West 1020.4 feet, more or less, to the West line of said NE $\frac{1}{4}$ of Section 21; thence Northerly along said West line of said NE $\frac{1}{4}$ of Section 21, 1346.4 feet, more or less, to the North Quarter-corner of said Section 21, thence South 89° 38' 45" East, along the North line of said Section 21, 1264.9 feet, more or less, to the true point of beginning.

SUBJECT, however, to the following:

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last ten (10) or lesser number of years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
3. Right of way of the Pacific Telephone and Telegraph Company for a telephone line approved December 6, 1930, by Jos. M. Dixon, First Assistant Secretary, subject to the provisions of the Act of March 3, 1901 (31 Stat.L., 1058-1083) Departmental regulations thereunder; and subject also to any prior valid existing right or adverse claim.
4. Right of way of the Oregon State Highway Commission for a highway approved August 26, 1946, by Girard Davidson, Assistant Secretary, subject to the provisions of the Act of March 3, 1901 (31 Stat. L., 1058-1084) Departmental regulations thereunder; and subject also to any prior valid existing right or adverse claim.
5. Right of way to the Oregon State Highway Commission for 22.77 acres for a Quarry Cinder Pit and highway approved May 17, 1950, by Raymond H. Bitney, Superintendent, Klamath Indian Agency by authority vested in him by Secretarial Order No. 2242, dated Sept. 9, 1946 (11 Fed. Reg. 10296), and the Order of the Commissioner of Indian Affairs, No. 544, dated Sept. 24, 1947 (12 Fed. Reg. 6970), and Amendment No. 1 to Order 544, subject to the provisions of Section 4 of the Act of March 3, 1901 (31 Stat. 1084; 25 U.S.C., Section 311), and Departmental Regulations thereunder (25 Code of Federal Regulations, Part 256), as may be amended hereafter.
6. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Delia Otool, deceased Klamath Allottee No. 1227, as disclosed by Deed recorded in Volume 293, page 242, Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss. .

I hereby certify that the within instrument was received and filed for record on the 24th day of October A.D., 19 79 at 4:35 o'clock P M., and duly recorded in Vol. M79 of Deeds on Page 25012.

FEE \$10.50

WM. D. MILNE, County Clerk

By Bernard H. Hetch Deputy