

32552

WARRANTY DEED - TENANTS BY ENTIRETY

Vol. 79 Page 25423

KNOW ALL MEN BY THESE PRESENTS, That Ann Matteson, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Thomas S. Stimmel and Lois J. Stimmel, 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 124 in Third Addition to Sportsman Park, according to the official plat on file in the office of the County Clerk of Klamath County, Oregon.

Subject, however, to the following: 1. Taxes for 1979-1980 are now a lien but not yet payable and no portion thereof shall be paid by the grantor. 2. Reservations and restrictions contained in the dedication of Third Addition to Sportsman Park, as follows: a. Subject to a 10-foot building setback line on the front of all lots; and an 8-foot easement along the back of all lots for future sanitary sewers and public utilities; said easement to provide for ingress and egress for maintenance and construction of such utilities; no structure being permitted and any plantings placed upon said easement shall be placed at risk of the owner. b. The continuation of this document, see reverse side of this deed, shall be incorporated into this deed and shall be a part of each of the foregoing covenants and restrictions hereinafter made a part of each of the premises.

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, including the terms and conditions hereinafter set forth. 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 \$3,750.00. 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 29 day of October, 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. October 29, 1979

James D. Matteson
Margaret Ann Matteson
STATE OF OREGON, County of _____, ss. 19____

Personally appeared the above named James D. Matteson and Margaret Ann Matteson, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

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, of said corporation and that said instrument is the corporate seal of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
My commission expires 7-19-82

Notary Public for Oregon
My commission expires: _____

Matteson

GRANTOR'S NAME AND ADDRESS

Stimmel

GRANTEE'S NAME AND ADDRESS

After recording return to:

Grantees

6029 S. E. Taylor Crt.

Portland, Oregon 97215

NAME, ADDRESS, ZIP

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

same as above

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____ ss.

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

3. Reservations and restrictions in deed from Robert Sloan and Peggy Sloan, husband and wife, to John K. Calder and Meryl Calder, husband and wife, dated August 5, 1964, recorded December 16, 1964, in Deed Volume 358, page 233, records of Klamath County, Oregon, as follows:

(1) That grantees will not suffer or permit any unlawful, unsightly or offensive use to be made of said premises nor will they suffer or permit anything to be done thereon which may be or become a nuisance or annoyance to the neighborhood.

(2) That they will use said premises solely as a residence or summer home site.

(3) That each said lot shall never be subdivided nor shall any less subportion than the whole of each lot ever be sold, leased or conveyed, and that no building, except one summer home or residence and the usual necessary outbuildings thereto shall ever be erected thereon.

(4) That no building shall ever be erected within 10 feet on any lot set back from the exterior property line.

(5) That the foregoing covenants are appurtenant to and for the benefit of each and every other lot in said Third Addition to Sportsman Park and shall forever run with the land and shall bind the premises hereinafter conveyed for the benefit of each and every other lot in said addition and the foregoing covenants and restrictions shall be incorporated in and made a part of each and every other deed or conveyance hereafter executed for the purpose of conveying these premises.

4. Well agreement, including the terms and provisions thereof between George A. Tyler and Pearl M. Tyler, husband and wife; Wesley A. McKaig and Nancy C. McKaig, husband and wife; Bernice H. Matteson, Annabel W. Jacobsen, a married person and Marc E. Jacobsen, her son; John K. Calder and Meryl Calder, husband and wife; and Harley S. Ames and Mayme L. Ames, husband and wife, dated February 21, 1973, recorded March 15, 1973, in Volume M73, page 2738, Microfilm Records of Klamath County, Oregon.

The true and actual consideration paid for this transfer in terms of dollars and cents is \$2,750.00. The actual consideration consists of or includes all taxes, dues or assessments which are applicable, should be paid, and all other charges which are applicable, should be paid, in connection with 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 undersigned, Notary Public for Oregon, has caused this deed to be signed and sealed by me, the undersigned, on the 29th day of October, 1979.

STATE OF OREGON; COUNTY OF KLAMATH;

29th day of October A.D. 1979 at 3:06 P.M.
JAMES D. MATTESON, Notary Public for Oregon
Recorded in Vol. M79 of Deeds on Page 25433
Fee \$7.00

Personally appeared James D. Matteson and Margee D. Matteson, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed before me.

Notary Public for Oregon
My commission expires 12-1-82

STATE OF OREGON County of I certify that the within instrument was recorded for record on the day of 1979 at o'clock P.M. and recorded in book on page of the Record of Deeds of said county. Witness my hand and seal of County of Oregon.	NAME AND ADDRESS Grantees 6029 S. Taylor Ct. Portland, Oregon 97215 NAME AND ADDRESS Grantor's Name and Address James D. Matteson Margee D. Matteson
Recording Officer Deputy	NAME AND ADDRESS Grantor's Name and Address James D. Matteson Margee D. Matteson