

77167

WARRANTY DEED—TENANTS BY ENTIRETY Vol. 179 Page 27297

KNOW ALL MEN BY THESE PRESENTS, That Jimmy D. Smalley and Kathryn E. Smalley, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by John M. Faucera and Janette I. Faucera, 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 2.5 feet of Lot 10 and the Northeasterly 62.5 feet of Lot 9, Block 2 FIRST ADDITION TO TONATEE HOMES, Klamath County, Oregon.

Subject, however, to the following:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
3. Restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, as shown on the recorded plat of First Addition to Tonatee Homes.
4. 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 October 5, 1959, in Book 316, page 326.

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,

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 \$42,750.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which) (The sentence between the symbols (H), 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 20 day of November, 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)

Jimmy D. Smalley
Jimmy D. Smalley

Kathryn E. Smalley
Kathryn E. Smalley

STATE OF OREGON,)
County of Klamath) ss.
November 20, 1979

STATE OF OREGON, County of) ss.
November 19, 1979

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:

Notary Public for Oregon

My commission expires 3-8-83

Personally appeared the above named Jimmy D. Smalley and Kathryn E. Smalley, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

PUBLIC

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

SHASTA BRANCH KLAMATH FIRST FEDERAL SAVINGS & LOAN ASSOCIATION
NAME, ADDRESS, ZIP

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

SHASTA BRANCH KLAMATH FIRST FEDERAL SAVINGS & LOAN ASSOCIATION
NAME, ADDRESS, ZIP

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 21st day of November, 1979, at 11:55 o'clock A.M., and recorded in book M79 on page 27297 or as file/reel number 77167.

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Wm. D. Milne

Recording Officer
By Deputy

Fee \$3.50