

## WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT PEGGY M. STIVERS, who was formerly Peggy M. Sloan, and ELDON V. STIVERS, her husband; and ROBERT SLOAN and LUCILLE SLOAN, husband and wife, hereinafter known as grantors, for the consideration hereinafter stated have bargained and sold, and by these presents do grant, bargain, sell and convey unto

EARL W. NIDEVER and ELEANOR I. NIDEVER,

husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

Lot 101 of Third Addition to Sportsman Park, Klamath County, Oregon, according to the official plat thereof on file in the records of Klamath County, Oregon.

Subject to: Agreement concerning the operation of the dam and control of the water levels of Upper Klamath Lake; Reservations and easements contained in the Dedication of Third Addition to Sportsman Park; Any easements of record; Taxes for fiscal year commencing July 1, 1974, which are now a lien but not yet payable; and to the following building and use restrictions which grantees, their heirs, grantees and assigns, assume and agree to fully observe and comply with, to-wit:

(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 portion than the whole of said lot ever be sold, leased or conveyed, and that no building except one summer home or residence and the usual and necessary outbuildings thereto shall ever be erected thereon.

(4) That no building shall ever be erected within 10 feet of any 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 herein 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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 2,600.00  
However, the actual consideration includes other property which is part of the consideration.  
(Strike out the above when not applicable)

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said grantees as an estate by the entirety. And the said grantors do hereby covenant, to and with the said grantees, and their assigns, that they are the owners in fee simple of said premises; that they are free from all incumbrances, except those above set forth, and that they will warrant and defend the same from all lawful claims whatsoever, except those above set forth.

IN WITNESS WHEREOF, they have hereunto set their hands and seals  
this 2nd day of July 19 74.

*Peggy M. Stivers* (SEAL) Robert Sloan (SEAL)  
*Eldon V. Stivers* (SEAL) By *Peggy M. Stivers* (SEAL)  
their attorney in fact July 2, 1974

STATE OF OREGON, County of Klamath ) ss.  
Personally appeared the above named Peggy M. Stivers, who was formerly Peggy M. Sloan, and Eldon V. Stivers, her husband,  
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

*Clover M. Falsay*  
Notary Public for Oregon  
My commission expires Feb. 5, 1977

After recording return to:

Earl W. Nidever and Eleanor I. Nidever

Box 563

Myrtle, Or. 97633

Until a change is requested, all tax statements shall be sent to the following name and address:  
Earl W. Nidever and Eleanor I. Nidever

STATE OF OREGON,  
County of Klamath ) ss.

I certify that the within instrument was received for record on the 15th day of February, 1980, at 2:15 o'clock P.M., and recorded in book 180 on page 2097 Record of Deeds of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne County Clerk

County Clerk-Recorder

By *Bernetha J. Hetsch*  
Fee \$3.50 Deputy

From the Office of  
GANONG & SISEMORE  
538 Main Street  
Klamath Falls, Oregon 97601

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