

1-1-74

90276

WARRANTY DEED—SURVIVORSHIP

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KNOW ALL MEN BY THESE PRESENTS, That JOHN S. KRONENBERGER

for the consideration hereinafter stated to the grantor paid by DAVID J. SHUE, hereinafter called the grantor, SHUE, PAUL S. HALUCKA and FUMI HALUCKA, hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of said grantees, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of Klamath, State of Oregon, to-wit:

All that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  and SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 11, Township 35 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Commencing at a point South 89° 21' 50" East 1203 feet from the Southwest corner of the NW $\frac{1}{4}$  of Section 11, Township 35 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon; thence at right angles and parallel to the West line of the NW $\frac{1}{4}$ , North a distance of 480 feet to the true point of beginning; thence due West 325 feet; thence due North 690.78 feet, more or less, to the Southerly right of way line

(for continuation of this description, see reverse side)

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their assigns and the heirs of such survivor, forever; provided that the grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.

And the grantor above named hereby covenants to and with the above named grantees, their heirs and assigns, that grantor is lawfully seized in fee simple of said premises, that same are 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 \$17,000.00. 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 25 day of September, 1980, 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)

John S. Kronenberger

STATE OF OREGON,  
County of Klamath } ss.  
September 25, 1980

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

Personally appeared the above named John S. Kronenberger

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 \_\_\_\_\_

and acknowledged the foregoing instrument to be his voluntary act and deed.

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 6-9-84

Before me: \_\_\_\_\_  
(OFFICIAL SEAL)  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

John S. Kronenberger  
Star Route 2, Box 590  
Chiloquin, OR 97624  
GRANTOR'S NAME AND ADDRESS

David J. Shue, et al  
2436 Greenwich, Apt #3  
San Francisco, CA 94123  
GRANTEE'S NAME AND ADDRESS

After recording return to:  
David J. Shue, et al  
2436 Greenwich, Apt. #3  
San Francisco, CA 94123  
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.  
David J. Shue, et al  
2436 Greenwich, Apt. #3  
San Francisco, CA 94123  
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.

By \_\_\_\_\_ Recording Officer  
Deputy

(description continued)

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of Sprague River Highway; thence Southeasterly along said right of way line to a point due East from the point of beginning; thence West 360.34 feet, more or less to the true point of beginning.

SUBJECT, however, to the following:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. Right of Way Deed, including the terms and provisions thereof, in favor of Klamath County, recorded in Volume 95, page 599, Records of Klamath County, Oregon, for roadway purposes.
3. Resrvations and restrictions as contained in instrument recorded in Volume 272, page 123, Records of Klamath County, Oregon, as follows:

"there is reserved from the land hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States."

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.

this 25th day of September A. D. 1980 at 4:00 o'clock P. M., and

fully recorded in Vol. M80, of Deeds on Page 18458

Wm D. MILNE, County Clerk

Fee \$7.00

By Bernetha D. Hetch