

1-1-74

91207

WARRANTY DEED—TENANTS BY ENTIRETY

Page 1280

19906

KNOW ALL MEN BY THESE PRESENTS That James H. Patton and Margie G. Patton, husband and wife, and Donald W. Horton and Marjorie I. Horton, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Benjamin J. Hickman and Catherine F. Hickman, 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 NE1/4 of Section 17, Township 39 South, Range 8 East of the Willamette Meridian. SUBJECT TO an easement for ingress & Egress along the Westerly 15 feet of the above described property, Subject, however, to the following:

1. The property herein has been classified as reforestation land and is subject to an annual forest fee, but upon the cutting of the timber thereon, the said lands will be subject to a yield tax under the provisions of said forest act.

2. Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads or highways.
3. Right of Way for transmission line, including the terms and provisions thereof, given by Earl G. Kerns and Elaine C. Kerns, husband and wife, to The California Oregon Power Company, a California corporation, dated September 2, 1953, recorded September 9, 1953, in Deed Volume 263, page 17, Records of Klamath County, Oregon

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, 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 \$ 80,000.00. 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 21st day of June, 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.

James H. Patton, Donald W. Horton, Margie G. Patton, Marjorie I. Horton, her attorney
attorney in fact, in fact
Wayne N. Horton, Shirley Y. Horton

STATE OF OREGON,
County of Klamath } ss.
June 21, 1979.

STATE OF OREGON, County of _____) ss.
Personally appeared _____, 19____, 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.

Personally appeared the above named James H. Patton and Margie G. Patton, husband and wife, Wayne N. Horton and Shirley Y. Horton, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires 8-5-79

Before me:
Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS
GRANTEE'S NAME AND ADDRESS
After recording return to:
BENJAMIN J. HICKMAN
2530 ROUND LAKE RD.
KLAMATH FALLS, OR 97601
NAME, ADDRESS, ZIP
Until a change is requested all tax statements shall be sent to the following address.
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

FORM No. 159—ACKNOWLEDGMENT BY ATTORNEY-IN-FACT.

STATE OF OREGON,

County of Klamath

ss.

On this the 21st day of June, 1979 personally appeared
 Wayne Horton aka Wayne N. Horton
 who, being duly sworn (or affirmed), did say that he is the attorney in fact for
 Donald W. Horton and M. Marjorie Horton aka Marjorie I. Horton and
 that he executed the foregoing instrument by authority of and in behalf of said principal; and he acknowl-
 edged said instrument to be the act and deed of said principal.

Before me:

(Official Seal)

Notary Public for Oregon

My commission expires 8-5-79
 (Title of Officer)

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record on _____

this 13th day of October A. D. 1980 at 2:20 P. M., of

duly recorded in Vol. M80, of Deeds on Page 19906

Wm D. MILNE, County Clerk

By Bernetha Heloch

Fee \$7.00