

1-174

97344

WARRANTY DEED—SURVIVORSHIP

VOL M81

4984



KNOW ALL MEN BY THESE PRESENTS, That **MX LAND & LIVESTOCK CORPORATION**, an Oregon Corporation

for the consideration hereinafter stated to the grantor paid by **JAMES R. DE BAUN**, Trustee under written Declaration of Trust dated 9/7/72, hereinafter called the grantor, Trustee and/or Successor

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:

The S $\frac{1}{2}$  of the NE $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 28, Township 38 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON 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 MORTGAGE FEDERAL LAND BANK AND WAGGONER WHICH GRANTOR SHALL HOLD GRANTEE HAMRLESS THEREFROM.**

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 \$ **26,400.00**

~~HOWEVER, THE ABOVE CONSIDERATION CONSISTS OF OR INCLUDES OTHER PROPERTY OR VALUE GIVEN OR PROMISED WHICH IS THE WHOLE OR PART OF THE ESTATE OF THE GRANTOR (WHICH EVER WHICH)~~ (The sentence between the symbols  $\odot$ , 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 **18th** day of **March**, 19**81**; 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)

**MX LAND & LIVESTOCK CORPORATION**,  
an Oregon Corporation

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

Personally appeared the above named \_\_\_\_\_

\_\_\_\_\_ and acknowledged the foregoing instrument to be \_\_\_\_\_ voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires \_\_\_\_\_

STATE OF OREGON, County of **Klamath** ) ss.  
**18th March**, 19**81**

Personally appeared **C. J. EMMICH** 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:

Notary Public for Oregon

My commission expires: **7/13/81**

(OFFICIAL SEAL)

**MX LAND & LIVESTOCK CORPORATION**  
**6516 Valhalla Drive**  
**Klamath Falls, OR 97601**

GRANTOR'S NAME AND ADDRESS

**Mr. James R. De Baun**  
**BC 1-10**

**Big Bear Lake, CA 92315**

GRANTEE'S NAME AND ADDRESS

After recording return to:

**SAME AS GRANTEE**

NAME, ADDRESS, ZIP

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

**SAME AS GRANTEE**

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 **19th** day of **March**, 19**81**, at **10:13** o'clock **A.M.**, and recorded in book/reel/volume No. **M81** on page **4984** or as document/fee/file/instrument/microfilm No. **97344**, Record of Deeds of said county.

Witness my hand and seal of County affixed.

**Evelyn Beihn County Clerk**

NAME

TITLE

By **Debra D. Ganser** Deputy

Fee \$3.50