

1-1-74

24377

WARRANTY DEED—SURVIVORSHIP

KNOW ALL MEN BY THESE PRESENTS, That BEN O. BUTLER and DOLORES J. BUTLER, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by ALRICK F. NYBACK, HAZEL N. NYBACK, RICHARD KEITH SMITH and SANDRA L. SMITH, 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:

That portion of Government Lot 7 and the W^{1/2}W^{1/2}NE^{1/4} lying South of existing road in Section 22, Township 33 South, Range 7^{1/2} East of the Willamette Meridian, in the County of Klamath, State of Oregon.

SUBJECT TO: Rights of the public in and to any portion of said premises lying within the limits of roads and highways; Rights of the public and of Governmental bodies in and to any portion lying below mean high water of Wood River; Reservations, restrictions, easements and rights of way of record and those apparent on the land, if any.

Note: The premises herein have been specially assessed for farm use. If the land becomes disqualified for this special assessment under the statutes, an additional tax, plus interest and penalty, will be levied for the number of years in which this special assessment was in effect for the land.

(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 those above set forth,

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 \$ 50,000.00

~~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 8th day of June, 19 83; 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)

STATE OF OREGON,

County of Klamath

June 8, 19 83.

Personally appeared the above named Ben O. Butler and Dolores J. Butler, 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 3-22-85

STATE OF OREGON, County of Klamath, 19 83.

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:

STATE OF OREGON, County of Klamath, 19 83.

I certify that the within instrument was received for record on the 8th day of June, 19 83, at 3:31 o'clock P.M., and recorded in book/reel volume No. M83 on page 8943 or as document fee/file/instrument/microfilm No. 24377. Record of Deeds of said county.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk
NAME TITLE

By: *Julie Lewis* Deputy

Fee \$4.00

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Alrick F. Nyback, et al
2001 Park Ave
City, 97601
NAME, ADDRESS, ZIP

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

Alrick F. Nyback, et al
2001 Park Ave
City, 97601
NAME, ADDRESS, ZIP

SPACE RESERVED
FOR
RECORDER'S USE