

29560

WARRANTY DEED - TENANTS BY ENTIRETY

MTC-12999

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KNOW ALL MEN BY THESE PRESENTS, That ERWIN T. BROOKS and LEILA G. BROOKS, hereinafter called the Grantor, for the consideration hereinafter stated to the grantor paid by HENRY J. CALDWELL, Jr. and DEBORAH L. CALDWELL, 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:

Tract 49, PLEASANT HOME TRACTS, less the Northerly 45 feet thereof, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Subject to the following:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
3. Reservations and restrictions as contained in Deed dated September 25, 1939 recorded December 3, 1942 in Volume 151 page 417, Deed Records of Klamath County, Oregon, Charles W. Miller, et ux to D.B. Green, et ux, to wit: "Subject, however, to an easement for ditches and/or pipe lines to convey water for irrigation and domestic use for the benefit of adjoining property owners. Subject to their restriction that no dwelling house shall be placed upon said land to cost less than \$1000.00; that each dwelling shall be finished in a workmanlike manner; shall be painted outside and shall be set back at least 30 feet from the property line on street."

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 those assumed by Grantee above and those imposed by the Grantee and that Grantor will warrant and for ever 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 \$25,000.00. In construing this deed and where the context so requires,

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the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

In Witness Whereof, the grantor has executed this instrument this 18th day of October, 1983.

Erwin T. Brooks Leila G. Brooks
ERWIN T. BROOKS LEILA G. BROOKS

STATE OF OREGON)
County of Klamath) ss.

On this 18th day of Oct., 1983, personally appeared the above named Erwin T. Brooks and Leila G. Brooks Kisis and acknowledged the foregoing instrument to be their voluntary act and deed.

Harlene Stutler
NOTARY PUBLIC for Oregon
My Commission expires: 6-16-84

Grantor's name and address:

Erwin T. Brooks
Leila G. Brooks

Grantee's name and address:

Henry J. Caldwell, Jr.
Deborah L. Caldwell
2319 Briarwood
Klamath Falls, OR 97601

After recording return to:

Henry J. Caldwell, Jr.
Deborah L. Caldwell
C/o KFF
540 Main St

Mail tax statements to:

Henry J. Caldwell, Jr.
Deborah L. Caldwell
C/o KFF
540 Main St, K Falls, OR

STATE OF OREGON)
County of Klamath) ss.

for
recorder's
use

I certify that the within instrument was received for record on the 18th day of Oct., 1983, at 3:29 o'clock P.M., and recorded in book/reel/volume No. M83 on page 17957 or as document/fee/file/ instrument/microfilm No. 29560 Record of Deeds of said county.

Evelyn Biehn, County Clerk
Name Title

By Pam Smith

Fee: \$8.00