

OA

50498

WARRANTY DEED—SURVIVORSHIP

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KNOW ALL MEN BY THESE PRESENTS, That Joseph W. McIntosh and Catherine T. McIntosh, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Donald L. Cabitto, Sr., Ida Cabitto, and Donald L. Cabitto, Jr., each an undivided 1/3 interest 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:

Lot 17 in Block 2 of First Addition to Kelene Gardens according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Subject to easements and rights of way of record and apparent on the land and to building and use restrictions of record.

Also subject to that certain deed of trust in favor of First Federal Savings and Loan Association of Klamath Falls recorded August 18, 1976, Vol. M76, page 12776, Mortgage Records of Klamath County, Oregon, which grantees expressly assume and agree to pay.

(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 taxes for fiscal year 1985-86;

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 \$36,500.00.

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 1 day of July, 1985; 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.

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.

STATE OF OREGON, } ss.
County of Klamath }
July 1, 1985

STATE OF OREGON, County of } ss.
1985

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 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:

(If executed by a corporation, affix corporate seal)

Personally appeared the above named _____
Joseph W. McIntosh and
Catherine T. McIntosh
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me, _____
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires 8/27/87

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Donald L. Cabitto, Sr.
3913 Bartlett
Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

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

Klamath First Federal Savings & Loan
540 Main Street
Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, } ss.
County of Klamath }

I certify that the within instrument was received for record on the 1st day of July, 1985, at 10:12 o'clock A.M., and recorded in book/reel/volume No. M85 on page 10051 or as fee/file/instrument/microfilm/reception No. 50498, Record of Deeds of said county.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME TITLE
By Pam Smith Deputy

Fee: \$5.00