

67033

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 188 Page 18643

KNOW ALL MEN BY THESE PRESENTS, That R. H. & L. Loveness Lumber Co., an Oregon corporation, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Loyal H. Loveness and Mildred H. Loveness, 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:

See attached Exhibit "A".

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

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 \$ 203,000.00
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 ①, 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 30 day of March, 1981; 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 } 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

R. H. & L. Loveness Lumber Co.
Loveness Road
Malin, OR 97623

GRANTOR'S NAME AND ADDRESS

Loyal H. and Mildred H. Loveness
Loveness Road
Malin, OR 97623

GRANTEE'S NAME AND ADDRESS

Loren & Elva Loveness
4062 Box 21A
Malin, Ore 97623

Loyal H. and Mildred H. Loveness
Loveness Road
Malin, OR 97623

NAME, ADDRESS, ZIP

R. H. & L. LOVENESS LUMBER CO.

By *[Signature]* President
By *[Signature]* Sec-Treas

STATE OF OREGON, County of Klamath) ss.
March 30, 19 81

Personally appeared R. E. Loveness
L. E. Loveness

and 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 R. H. & L. Loveness Lumber Co.

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:

Marlene A. Noble
Notary Public for Oregon
My commission expires: 12/16/83

STATE OF OREGON,

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

EXHIBIT "A" to WARRANTY DEED

All the following described real property situate in Klamath County, Oregon:

PARCEL 1a: N1/2 NE1/4, SE1/4 NE1/4, E1/2 SW1/4 NE1/4 of Section 12, Township 41 South, Range 12 East of the Willamette Meridian, and Lots 1, 2, 3, and 4 and SE1/4 SW1/4 of Section 7, Township 41 South, Range 13 East of the Willamette Meridian.

EXCEPTING THEREFROM the following described property: A tract of land situated in Lot 4 (SW1/4 SW1/4 of Section 7) Township 41 South, Range 13 East of the Willamette Meridian, Beginning at the SW corner of Sec. 7; thence East along the South line of said Sec. 1677.16 feet to the SE1/4 of Lot 4, thence North along the East line of Lot 4, 132.73 feet; thence West parallel to the South line of said Lot, 1677.16 feet, more or less to the West line of said Lot, also the West line of said Section; thence South along said West line 132.73 feet to the point of beginning.

PARCEL 1b: An undivided 1/2 interest in and to the following described property:

Beginning at a point marked R-1 from which the SE corner of Sec. 31, Twp. 40 S. R. 13 E.W.M. bears South 28 deg. 56' E. 1646 feet distant; thence along water line of proposed reservoir, variation 20 deg. 28' E; N. 13 deg. 00' W. 275 feet; North 16 deg. 15' W. 205 feet N. 34 deg. 15' W. 275 feet; N. 15 deg. 00' W. 480 feet; N. 24 deg. 30' W. 545 feet; N. 41 deg. 30' W. 335 feet; N. 58 deg. 15' W. 490 feet; North 62 deg. 15' W. 475 feet; N. 56 deg. 30' W. 325 feet; S. 34 deg. 45' W. 185 feet; S. 3 deg. 30' E. 570 feet; S. 25 deg. 30' E. 670 feet; S. 17 deg. 15' E. 420 feet; S. 47 deg. 00' E. 380 feet; South 88 deg. 00' E. 250 feet; S. 57 deg. 00' E. 50 feet; S. 56 deg. 30' E. 110 feet; S. 43 deg. 45' E. 200 feet; S. 34 deg. 30' E. 243 feet; S. 60 deg. 15' E. 224 feet; S. 46 deg. 30' E. 440 feet; N. 67 deg. 00' E. 140 feet; N. 7 deg. 45' E. 225 feet to the place of beginning.

SUBJECT TO:

1) The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. Taxes for the year 1980-81 and possibly prior years have been deferred pursuant to ORS 308.370 to 308.403. These, plus earned interest are due and payable when said reason for the deferment no longer exists.

2) Liens and assessments of Klamath Project and Malin Irrigation District, and regulations, easements, contracts, water and irrigation rights in connection therewith.

3) Liens and assessments of Klamath Project and Shasta Irrigation District, and regulations, easements, contracts, water and irrigation rights in connection therewith.

4) Any unpaid charges or assessments of Shasta Irrigation District.

5) Rights of the public in and to any portion of the herein described premises lying within the limits of any roads or highways.

6) Easement, including the terms and provisions thereof, given by Chas. S. Frye, Ethel Frye and Harold Barney to The Pacific Telephone & Telegraph Company, dated November 18, 1942, and recorded August 1, 1942, in Deed Volume 149 on page 633, records of Klamath County, Oregon.

7) Grant of Right of Way, including the terms and provisions thereof, given by C. S. Frye and Ethel Frye and Harold Barney to The California Oregon Power Company, dated December 10, 1946, and recorded February 17, 1947, in Deed Volume 202 on page 299, records of Klamath County, Oregon.

8) Right of Way Easement, including the terms and provisions thereof, given by Harold Barney and Amelia Barney to Pacific Power & Light Company, dated April 6, 1973, and recorded April 6, 1973, in Deed Records M-73 on page 4056, records of Klamath County, Oregon.

9) Easement, including the terms and provisions thereof, given by Harold F. Barney and Amelia Barney, husband and wife, to Loren L. Loveness and Linda L. Loveness, husband and wife, dated September 17, 1973, and recorded September 26, 1973, in M-73 on page 13049, Deed Records of Klamath County, Oregon.

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Exhibit "A" to Warranty Deed
Page -2-

STEVEN A. ZAMSKY, P.C.
ATTORNEY AT LAW
110 NORTH SIXTH STREET, SUITE 207
KLAMATH FALLS, OREGON 97601
(503) 863-7761

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of _____ October _____ A.D., 19 86 at 11:55 o'clock _____ A _____ M., and duly recorded in Vol. _____ 186
of _____ Deeds _____ on Page 18643

FEE \$18.00

Evelyn Biehn, County Clerk
By *[Signature]*