

92241

WARRANTY DEED - TENANTS BY ENTIRETY

Page 16616

KNOW ALL MEN BY THESE PRESENTS, That Wilbur O. Hunt and Hazel Hunt

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Henry W. Oviatt and Carmen E. Oviatt, 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:

A parcel of land situated in the NW 1/4 SE 1/4 of Section 32, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, and being more particularly described as follows:

Beginning at the Northeast corner of said NW 1/4 SE 1/4; thence South 00° 09' 01" West along the East line of said NW 1/4 SE 1/4, 108.38 feet to a point on the West right of way line of the Dodd's Hollow Road; thence Southerly along said West right of way line of a curve to the left (Radius=1176.88 feet); 266.30 feet; thence, continuing on said West right of way line, South 00° 09' 01" West 748.20 feet to a 5/8" iron pin; thence, leaving said West right of way line, West 209.26 feet to a 5/8" iron pin; thence South 208.71 feet to a 5/8" iron pin on the South line of said NW 1/4 SE 1/4; thence along said South line North 89° 46' 23" West 476.30 feet to a 5/8" iron pin; thence leaving said South line North 1334.45 feet to a 5/8" iron pin on the North line of said NW 1/4 SE 1/4; thence along said North line South 89° 25' 58" East 718.50 feet

[Continued on reverse side]

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, subject to reservations, restrictions, right of way and easements of record and those apparent on the land, 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 \$ 45,000.00

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 4th day of May, 1978; Wilbur O. Hunt, 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

May 4, 1978

Wilbur O. Hunt

Hazel Hunt

Hazel Hunt

STATE OF OREGON, County of

Personally appeared

and who, being duly sworn,

each for himself and not one for the other, did say that the former 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 be-

half 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

Notary Public for Oregon

My commission expires

Mr. and Mrs. Wilbur O. Hunt

P. O. Box 304

Merrill, OR 97633

GRANTOR'S NAME AND ADDRESS

Mr. and Mrs. Henry W. Oviatt

P. O. Box 73

Merrill, OR 97633

GRANTEE'S NAME AND ADDRESS

After recording return to:

Mr. and Mrs. Henry W. Oviatt

P. O. Box 73

Merrill, OR 97633

NAME, ADDRESS, ZIP

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

Henry W. and Carmen E. Oviatt

P. O. Box 73

Merrill, OR 97633

NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

I certify that the within instrument was received for record on the day of 1978 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.

Recording Officer

By Deputy

PROPERTY DESCRIPTION CONTINUED

to the point of beginning.

RESERVING unto Seller, its heirs and assigns, a perpetual 15 foot easement along the southerly line of the above-described property for irrigation purposes.

SUBJECT TO:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads, or highways.

2. Right of way for road purposes conveyed to Klamath County by Deed Volume 118, page 389, Deed Records of Klamath County, Oregon.

3. Easement, including the terms and provisions thereof, for drainage canal, granted to Klamath Basin Improvement District, an Oregon corporation by Wilbur O. Hunt and Hazel Hunt, husband and wife, as disclosed by instrument recorded September 11, 1973 in Volume M73, page 12219, Microfilm Records of Klamath County, Oregon.

4. Taxes, "including the current fiscal year have been assessed with Veterans' Exemption. If the Exempt status is terminated under the statute prior to the date on which the assessment roll becomes the tax roll in the year in which said taxes were assessed, an additional tax may be levied. (Affects Mobile Home only.)"

5. Right of way easement, including the terms and provisions thereof, granted to Pacific Power & Light Company, a corporation, for an electric transmission and distribution line and appurtenances thereto, recorded November 14, 1977 in Volume M77, page 21912, Microfilm Records of Klamath County, Oregon.

6. Subject to the requirements and provisions of ORS Chapter 481 pertaining to the registration and transfer of ownership of a Mobile Home, and any interest or liens disclosed thereby.

7. An easement for right of way purposes over the Northerly portion of the above-described property as disclosed by instrument recorded April 6, 1978 in Volume M78, page 6648, Microfilm Records of Klamath County, Oregon, to wit:

"Together with a 16 foot right-of-way over the following described center line. Beginning at the NE corner of the NW 1/4 SE 1/4, Section 32, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon; thence South 43 feet; thence West and parallel to the North line of the SE 1/4, 718.50 feet to termination of the easement for the use of assigns, heirs and transferees."

This said easement for right of way purposes shall be subject to the further provision created herein as follows: Seller and Purchaser shall share the expenses of maintaining the right of way in good condition and repair from the point of beginning of said easement to an intersection of said right of way commonly known as "the y", the Seller shall maintain the right of way in good condition and repair from the intersection of said right of way commonly known as "the y" to the point of termination of said easement.

This conveyance also includes the right of Purchaser to use jointly with Seller an existing easement for irrigation purposes granted to Wilbur O. Hunt and Hazel Hunt by Lloyd Edmond Hyatt and Barbara Rae Hyatt, disclosed by instrument recorded March 10, 1975 in Volume M75, page 2777, Microfilm Records of Klamath County, Oregon, subject to further provisions created herein as follows:

- (1) The parties shall cooperate during the periods of joint use so that each party's use shall cause a minimum of interference to the others.
- (2) The parties shall share in proportion to their use the expense of maintenance and/or repair of said easement.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co.
of Oct. A.D. 19 88 at 8:39 o'clock A. M., and duly recorded in Vol. M88
of Deeds on Page 16616

FEE \$13.00

Evelyn Biehn
By Dan M. Mendenhall County Clerk