

96153

WARRANTY DEED - TENANTS BY ENTIRETY

Rodolfo Rojas Escatel, Jr. and Carolyn

KNOW ALL MEN BY THESE PRESENTS, That Patricia Escatel, husband and wife hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Douglas K. Smith and Beverly A. Smith, 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:

That portion of the W₁SE₁ lying Easterly of the Chiloquin Ridge Road as now located in Section 35, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

SUBJECT, however, to the following:

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. Reservations as contained in Deed recorded in Volume 305, page 666; Records of Klamath County, Oregon, as follows:

"there is reserved from the lands hereby allotted, a right of way thereon for ditches or canals constructed by the authority of the United States."

(for continuation of this description, see reverse side)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION 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 except as noted of record as of the date of this deed and those apparent upon the land, if any, as as of the date of this deed

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 \$ 35,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 4th day of August, 1978; 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 Washington, Walla Walla } ss.
August 4, 1978

Personally appeared the above named Rodolfo Rojas Escatel, Jr. and Carolyn Patricia Escatel and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: [Signature] Notary Public for Oregon - Washington My commission expires Aug 20, 1980

STATE OF OREGON, County of Walla Walla } ss.
1978

Personally appeared Rodolfo Rojas Escatel, Jr. and Carolyn Patricia Escatel who, being duly sworn, each for himself and not one for the other, did say that the former is the president and 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.

(OFFICIAL SEAL)

Rodolfo And Carolyn Escatel, husband & wife
366 Chase
Walla Walla, WA 99362
GRANTOR'S NAME AND ADDRESS

Douglas and Beverly Smith, husband & wife
P.O. Box 856, Chiloquin
Chiloquin, OR 97624
GRANTEE'S NAME AND ADDRESS

After recording return to:

Douglas and Beverly Smith, husband & wife
P. O. Box 856
Chiloquin, OR 97624
NAME, ADDRESS, ZIP

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

Douglas and Beverly Smith, husband & wife
P.O. Box 856
Chiloquin, OR 97624
NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.
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

3. Reservations as contained in Land Status Report recorded in Volume 305, page 668, Records of Klamath County, Oregon, as follows:

"A. Right of way to Klamath County for Chiloquin - Braymill Road approved by A. W. Galbraith, Superintendent, on February 14, 1957, pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 18; 25 USC 323-328) and Departmental Regulations (25 CFR 1956 Cum. Pocket Supp. 256).

B. Right of Way to United States, its successors and assigns for Chiloquin Ridge Road approved by A. W. Galbraith, Superintendent, on February 14, 1957, pursuant to the provisions of the Act of February 5, 1948 (62 Stat. 18; 25 USC 323-328) and Departmental Regulations (25 CFR 1956 Cum. Pocket Supp. 256).

C. Right of Way to California Oregon Power Company for 120 KV distribution line approved by Elmo Miller, Superintendent, on April 7, 1958, pursuant to the provisions of the Act of February 5, 1948 (6s Stat. 17).

D. The above- described property is subject to all other existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights-of-way of record; and there is hereby reserved any and all roads, trails, telephone lines, etc., actually by the United States, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr. Jan. 13, 1916, 44 L.D. 513)."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 17th day of Jan. A.D., 19 89 at 12:47 o'clock P.M., and duly recorded in Vol. M89 of Deeds on Page 954.

Evelyn Biehn County Clerk

FEE \$13.00

By Dorlene Mullendare