

WARRANTY DEED TO CREATE ESTATE THE ENTIRETY

This Indenture Witnesseth, THAT FRANK E. McBAIN, JR. and BETTY J. McBAIN, husband and wife, hereinafter known as grantors, for the consideration hereinafter stated have bargained and sold, and by these presents do grant, bargain, sell and convey unto

CHESTER J. MARSHALL and BETTY J. MARSHALL, husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

Commencing at the Southwest corner of the Northwest one-quarter of the Northwest one-quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 20, Township 38 South, Range 9 E.W.M., which point is the true point of beginning; thence North along the Westerly line of Section 20, a distance of 726 feet; thence East 300 feet to a point; thence South 726 feet to a point, said point being on the Southerly line of the Northwest one-quarter of the Northwest one-quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section 20; thence West 300 feet to the place of beginning; being in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Twp. 38 S., R. 9, E.W.M.

ALSO Lots 1, 2, 3, 4, 5 and 6 in Block 1 and all that portion of Lots 1, 2, 3, 4 and 5 in Block 12, lying Northeasterly of the right of way of Highway #97 all in CHELSEA ADDITION TO THE CITY OF KLAMATH FALLS, Oregon, now vacated.

AND ALSO all that portion of Byrd Avenue, lying North of Block 1 of said Chelsea Addition, all that portion of Nungesser Avenue lying between Blocks 1 and 12 of said Chelsea Addition, and all that portion of the alley in Chelsea Addition lying East of Blocks 1 and 12, North of the State Highway right of way line projected Southeasterly, West of the Section line and South of the North line of Byrd Avenue projected Easterly, all in Chelsea Addition, now vacated.

ALSO beginning at a point which is South 0°06' West a distance of 388.5 feet from the Section corner common to Sections 17, 18, 19 and 20 in Twp. 38 S., R. 9, E.W.M., Klamath County, Oregon; thence continuing South 0°06' West a distance of 300 feet to the Northeast corner of Chelsea Addition to the City of Klamath Falls, Oregon; thence along the North boundary line of Byrd Avenue in Chelsea Addition North 89°49' West a distance of 174.2 feet to the East line of Quarry Street extended; thence North 0°06' East along the East boundary of Quarry Street extended a distance of 300 feet to a point; thence South 89°49' East a distance of 174.2 feet to the point of beginning.

SUBJECT TO: Easements and rights of way of record and apparent on the land.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$157,500.00. However, the actual consideration includes other property which is part of the consideration. (Strike out the above when not applicable)

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said grantees as an estate by the entirety. And the said grantors do hereby covenant, to and with the said grantees, and their assigns, that they are the owners in fee simple of said premises; that they are free from all incumbrances, except those above set forth, and that they will warrant and defend the same from all lawful claims whatsoever, except those above set forth.

IN WITNESS WHEREOF, they have hereunto set their hand s and seal s this 10th day of May, 1971

(SEAL) X *Frank E. McBain, Jr.* (SEAL)
(SEAL) X *Betty J. McBain* (SEAL)

STATE OF OREGON, County of Klamath) ss. JUNE 23, 1971
Personally appeared the above named Frank E. McBain, Jr. and Betty J. McBain, husband and wife,

and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

Larry J. Holman
Notary Public for Oregon.
My commission expires November 21, 1971

After recording return to:

RF Fed SB B
Esc # 4065
5740 Main St
T Falls

From the Office of
GANONG, GANONG & GORDON
First Federal Building
Klamath Falls, Oregon 97601

STATE OF OREGON,
County of Klamath } ss.

I certify that the within instrument was received for record on the 13th day of Feb., 1989, at 3:25 o'clock PM, and recorded in book M89 on page 2734 Record of Deeds of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk
County Clerk-Recorder
By *Dorisee Millindole* Deputy

Fee \$8.00

89 FEB 13 PM 3 25

