

1606

WARRANTY DEED—TENANTS BY ENTIRETY

KNOW ALL MEN BY THESE PRESENTS, That **CORALIE C. NELSON,**

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by **KENDALL A. TAIT** and **VERLEE H. TAIT**, 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:

in attached Exhibit "A"
SUBJECT TO: Items set forth on Exhibit "B".

"THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES."

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

Those above set forth.
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 \$ **84,240.00**

However, the consideration for this transfer, stated in terms of dollars, is \$ **84,240.00** (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 _____ day of _____, 19____; 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)

Coralie B. Nelson

STATE OF OREGON,

County of **Klamath**
June 16, 19**89**

Personally appeared the above named
Coralie B. Nelson

and acknowledged the foregoing instrument to be her _____ voluntary act and deed.

Before me:
Sandra Henderson
(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires **7/23/89**

Coralie C. Nelson

**P.O. Box 7392
Klamath Falls, OR 97602**

Kendall A. Tait and Verlee H. Tait

After recording return to:
**Steven A. Zamsky, Attorney at Law
601 Main Street, Suite 204
Klamath Falls, OR 97601**

Until a change is requested all tax statements shall be sent to the following address.
**Kendall A. Tait and Verlee H. Tait
3520 Cannon Avenue
Klamath Falls, OR 97603**

STATE OF OREGON, County of _____ ss.

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 _____, a corporation, 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.

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

STATE OF OREGON,

County of _____ ss.
I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book _____ of volume No. _____ on page _____ or as document/fee/file/instrument/microfilm No. _____ Record of Deeds of said county.
Witness my hand and seal of County affixed.

SPACE RESERVED FOR RECORDER'S USE

By _____ TITLE _____ Deputy

EXHIBIT "A"

PARCEL 1:

A tract of land situated in Section 21, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at the Northwest corner of Lot 4; thence South along the East line of Lots 5 and 6 and 16 to the Northwest corner of Lot 5, Block 2, Williamson River Estates; thence Northeasterly along the North line of said subdivision to the Northeast corner of Lot 11, Block 1; thence Northerly and Easterly along the Westerly right of way line of Williamson River Drive to the Westerly right of way line of Highway No. 97; thence Northwesterly along said highway right of way line to the Southeast corner of Book 336, Page 17, Deed Records of Klamath County, Oregon; thence South 80 degrees 32' 15" West to the Southwest corner of said deed; thence Northerly along the Westerly line of said deed, 200 feet to the Northwest corner thereof; thence North 80 degrees 32' 15" East to the Westerly right of way line of said highway; thence Northerly along said Westerly right of way line 60 feet, more or less, to the Southeast corner of Volume M-67 at page 318, Microfilm Records of Klamath County, Oregon; thence South 80 degrees 32' 15" West 231 feet to the Southwest corner of said deed; thence North 09 degrees 27' 45" West 607.11 feet, more or less, to the North line of Section 21; thence West along said line to the point of beginning.

EXCEPTING THEREFROM a tract of land situated in Section 21, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at the initial point of Williamson River Estates, a duly recorded subdivision, said initial point situated South 19 degrees 17' 35" East a distance of 1037.36 feet (South 18 degrees 49' 22" East 1038.84 feet by said plat) from the North one-fourth corner (N 1/4 of said Section 21); thence South 81 degrees 02' 30" West 172.35 feet (172.88 by said plat); thence continuing South 81 degrees 02' 30" West 80.86 feet; thence North 09 degrees 27' 45" West 365.94 feet to a 1/2 inch iron pin which is North 80 degrees 32' 15" East 17.00 feet from Point A as shown on accompanying Exhibit "A"; thence North 80 degrees 32' 15" East 253.20 feet to the Westerly right of way line of U.S. Highway 97; thence South 09 degrees 27' 45" East, along said right of way line 368.17 feet to the point of beginning, with bearings based on said recorded plat.

Continued on next page

EXHIBIT "A" CONTINUED

ALSO EXCEPTING THEREFROM a tract of land situated in Government Lots 7 and 15 of Section 21, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of Williamson River Estates, a duly recorded subdivision, said point being on the Westerly line of said Lot 15; thence along the Northerly line of said subdivision, North 89 degrees 34' 45" East 329.42 feet and North 74 degrees 05' 45" East 573.78 feet to a fence corner; thence along the fence line to be the property lines the following courses; North 08 degrees 53' 25" West 567.07 feet, North 85 degrees 27' 50" West 143.46 feet, North 77 degrees 32' 10" West 293.55 feet, North 55 degrees 21' 40" West 218.14 feet, South 71 degrees 16' 20" West 100.40 feet and South 67 degrees 57' 45" West 104 feet, more or less, to the Westerly line of said Lot 7; thence Southerly along the Westerly lines of said Government Lots 7 and 15, 849 feet, more or less, to the point of beginning, with bearings based on said Williamson River Estates.

PARCEL 2:

A parcel of land situated in Section 21, Township 35 South, Range 7 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at the Southeast corner of Lot 5, Block 3, Williamson River Estates; thence Southwesterly along the Southerly boundary of said subdivision to the Southwest corner of Lot 6, Block 2; thence South along the Easterly line of Lot 17 to the Northerly line of the Williamson River; thence Northerly along said line to a point that would intersect the Easterly line of said Lot 5 if extended Southerly; thence Northerly along said line to the point of beginning.

PARCEL 3:

That certain one foot street plug along the North boundary of Crawford Way of WILLIAMSON RIVER ESTATES, in the County of Klamath, State of Oregon.

TOGETHER WITH, to the extent that Grantor may grant the same, an easement for ingress, egress and maintenance for the existing waterline and waterwheel and an area around the waterwheel of 20' 30".

EXHIBIT "B"

1. Real Property taxes for the years 1987-1988, 1988-1989 on parcel 1. Which taxes Grantees assume and agree to pay and to hold Grantor harmless therefrom;
2. The Rules and Regulations of the Fire Patrol District;
3. The rights of the Public in and to any portion of the herein described premises lying within the boundary of roads or highways.
4. The right, title, or interest of the Public, including Governmental bodies in and to that portion of said premises lying below the ordinary high waterline of the Williamson River and public rights of fishing, recreation in, and to the shoreline of said River;
5. All matters arising from any shifting of the course of the Williamson River, including but not limited to, accretion, reliction and avulsion;
6. Easement for right of way granted to the California-Oregon Power company, a California corporation dated February 11, 1949 recorded March 1, 1949, Book 229, at page 161;
7. Agreement, including the terms and provisions thereof between WADE CRAWFORD, et ux and FRANK A. DIULILIO, et ux and recorded April 18, 1962 in Book 336, at page 611;
8. Dedication of Public Right of Way, including the terms and provisions thereof, recorded June 30, 1964 in Book 354, at page 215;
9. Easement, including the terms and provisions thereof, recorded December 11, 1979 in Book M-79, at page 28497;
10. Easement, including the terms and provisions thereof granted to BETLES FAMILY OF OREGON, LTD., a limited partnership recorded June 18, 1981 in Book M-31, at page 10956;
11. Unrecorded agreement with ROSS BROTHERS CONSTRUCTION INC., of which Grantees acknowledge they have received a copy and accept the same; and
12. Conditions, Restrictions as shown on the recorded plat of Williamson River Estates.
13. Declaration of Conditions and Restrictions recorded December 12, 1962, Book 342, at page 21 as amended on July 19, 1966 at Book M-66 at page 7318.
14. The right of Nancy L. Porteus, her heirs, successors, and assigns to use the water from the existing water lien as set forth in Deed recorded February 22, 1989 in Book M-89 at page 3206.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 19th day
 of June A.D., 19 89 at 11:17 o'clock A.M., and duly recorded in Vol. M89
 of Deeds on Page 10859.

FEE \$23.00

Evelyn Biehn County Clerk
 By Pauline Miller