

1-1-74 45370

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 92 Page 11420



KNOW ALL MEN BY THESE PRESENTS, That Robert E. Benjamin and Ruby E. Benjamin, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by William H. Dungan and Bette Dungan, 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:

PARCEL 1

A portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 30 feet North and 20 feet East of the Southwest corner of said Section 35; thence North and parallel with the West line of said Section, 148 feet; thence East and parallel with the South line of said Section, 90.5 feet; thence South and parallel with the West line of said Section, 148 feet, to a point on the North right of way line of Shasta Way; thence West parallel to and 30 feet North of the South line of said Section, 90.5 feet, more or less, to the Point of Beginning.

PARCEL 2

A portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point 30 feet North and 112.5 feet East of the Southwest

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 of the date of this deed, 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 \$ 55,000.00

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 31st day of October, 1977; 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)

Robert E. Benjamin

Ruby E. Benjamin

STATE OF OREGON,)
County of Klamath) ss.
October 31st, 1977

STATE OF OREGON, County of) ss.
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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, 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:

(OFFICIAL SEAL)

Personally appeared the above named Robert E. Benjamin and Ruby E. Benjamin

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

Notary Public for Oregon

My commission expires 7-19-78

Notary Public for Oregon

My commission expires:

Benjamin

GRANTOR'S NAME AND ADDRESS

Benjamin

GRANTEE'S NAME AND ADDRESS

After recording return to:

Mary Woodard
9669 Hill Road
Klamath Falls, OR 97603

NAME, ADDRESS, ZIP

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

Mary Woodard
9669 Hill Road
Klamath Falls, OR 97603

NAME, ADDRESS, ZIP

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 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

SPACE RESERVED FOR RECORDER'S USE

corner of said Section 35; thence North and parallel with the West line of said Section, 148 feet; thence East and parallel with the South line of said Section, 110.5 feet; thence South and parallel with the West line of said Section 148 feet; thence West and parallel to and 30 feet North of South line of said Section, 110.5 feet, more or less, to the Point of Beginning. EXCEPTING THEREFROM the Easterly 60 Feet thereof.

Subject, however, to the following:

1. Taxes for the fiscal year 1977-78, a lien but not yet due and payable.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
4. Rights of the public in and to any portion of the herein described premises lying within the limits of Shasta Way and Summers Lane.
5. Right-of-way, as contained in deed from Joseph Kraus, recorded June 3, 1938 in Volume 116, page 53, Deed Records of Klamath County, Oregon, which recites as follows:

"Save and except a right-of-way for existing irrigation ditches now on said premises."

~~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.~~

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain title Co. the 27th day
of May A.D., 19 92 at 11:49 o'clock A.M., and duly recorded in Vol. M92
of Deeds on Page 11420.

FEE \$35.00

Evelyn Biehn • County Clerk

By *Barbara M. Anderson*