

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

This Indenture Witnesseth, THAT MERVIN C. HILEY and LEONA M. HILEY, husband and wife,

hereinafter known as grantor s , for the consideration hereinafter stated have bargained and sold, and by these presents do grant, bargain, sell and convey unto JOHN R. KELLEY, SR. and HESTER JANE KELLEY, husband and wife; JOHN R. KELLEY, JR. and GERALYNN P. KELLEY, husband and wife; and JERRY LEE FANN AND HESTER JANE FANN, husband and wife, grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

Lots 1 and 29 in Block 29 of KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT, Plat No. 2.

Subject to: The interest of Charles E. Drew in and to a reservoir, as disclosed by a Deed recorded December 23, 1910, in Deed Volume 30 at page 529, Records of Klamath County, Oregon, (Affects SW $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 4, and SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 5, Twp. 38 S., R. 11, EWM); An undivided one-half interest in oil, gas, and mineral rights as reserved in deed recorded August 19, 1933, in Deed Vol. 101 at page 346, Records of Klamath County, Oregon, (Affects Section 5, Twp. 38 S., R. 11, EWM); Restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, as shown on the recorded plat of Klamath Falls Forest Estates, Highway 66 Unit Plat No. 2; Easements and rights of way of record and those apparent on the land, if any; and to 1977-78 real property taxes which are now a lien but not yet payable.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said John R. Kelley, Sr. and Hester Jane Kelley as tenants by the entirety as to an undivided one-third interest; unto the said John R. Kelley, Jr. and GERALYNN P. KELLY as tenants by the entirety as to an undivided one-third interest; and unto Jerry Lee Fann and Hester Jane Fann as tenants by the entirety as to an undivided one-third interest.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 36,500.00  
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~~ And the said grantor s do hereby covenant, to and with the said grantees, and their assigns, that they are the owner s 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 hands and seals  
this 1st day of July, 1977

*Mervin C. Hiley* (SEAL)  
*Leona M. Hiley* (SEAL)

STATE OF OREGON, County of Klamath ) ss. July 5, 1977

Personally appeared the above named Mervin C. Hiley and Leona M. Hiley, husband and wife,

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

Before me:

*William Z. Linn*  
Notary Public for Oregon.  
My commission expires 12/28/78

After recording return to:

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

John R. Kelley, Jr.

Rt. 1, Box 660

Bonanza, Oregon 97623

From the Office of  
GANONG & SISEMORE  
538 Main Street  
Klamath Falls, Oregon 97601

STATE OF OREGON,  
County of Klamath ) ss.

I certify that the within instrument was received for record on the 2nd day of July, 1977, at 10:23 o'clock A. M., and recorded in book M92 on page 14504 Record of Deeds of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

County Clerk-Recorder

By *Dorinda M. Melander* Deputy

Fee \$30.00