

17701

WARRANTY DEED—TENANTS BY ENTIRETY

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KNOW ALL MEN BY THESE PRESENTS, That DONALD E. BAILEY and GEORGE A. PONDELLA, JR.

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by DANIEL DAVID EWING and BRENDA KAY EWING, 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: The N 1/2 NE 1/4 NW 1/4 of Section 34, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon. Subject, however, to the following:

1. Taxes for the fiscal year 1977-1978, a lien but not yet due and payable.
2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
3. Conditions and restrictions, including the terms and provisions thereof, as contained in deed recorded February 13, 1930, in Volume 88 at page 624, Deed Records of Klamath County, Oregon, to-wit: "And there is reserved from the lands hereby granted a right of way for ditches or canals constructed by authority of the United States, and there is hereby reserved a first lien against the land involved in accordance with the Act of March 7, 1928 (45 Stats., 200-210)."

(for continuation of this description, see reversed side of this Deed)

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 \$ 15,500.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the 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 30th day of September, 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)

Donald E. Bailey
DONALD E. BAILEY

George A. Pondella, Jr.
GEORGE A. PONDELLA, JR.

STATE OF OREGON,

County of Klamath ss.

September 24, 1977.

Personally appeared, the above named

Donald E. Bailey and George A. Pondella, Jr.,

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires 3-22-81

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

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:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Daniel & Brenda Ewing
35170 So Chilcoquin Rd
Chilcoquin, Or 97624

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

Daniel & Brenda Ewing
35170 S. Chilcoquin Rd., Chilcoquin, Or. 97624

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 of page or as file reel number Record of Deeds of said county.

Witness my hand and seal of County affixed.

By

Recording Officer
Deputy

4. Reservations and restrictions, including the terms and provisions thereof, as contained in Deed To Restricted Indian Land, recorded June 26, 1950, in Volume 300 at page 337, Deed Records of Klamath County, Oregon, to-wit: "There is reserved from the lands hereby granted a right of way to the Pacific Telephone & Telegraph Company for pole line, approved by Joe M. Dixon, First Assistant Secretary of the Interior, on March 16, 1931, pursuant to the provisions of the Act of March 3, 1901, (31 Stat. L., 1058-1084). Title to the above described property is conveyance subject to any 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. All subsurface rights, except water, are hereby reserved, in trust, for the grantor, Chauncey Miller Lotches."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Daniel Ewing the 17th day
of July A.D., 1992 at 1:00 o'clock P.M., and duly recorded in Vol. M92,
of Deeds on Page 15825.

Evelyn Biehn - County Clerk

FEE \$35.00

By Daniel Ewing