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STEVENS-NEES LAW PUB. CO., PORTLAND, ORE.

1968 54612

MTZ 1396-6131

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KNOW ALL MEN BY THESE PRESENTS, That JOHN F. ROSE and ANNE P. ROSE, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by D. P. Rotherham and Mable C. Rotherham and Roy Rotherham, all with survivorship

hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of said grantees, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of Klamath, State of Oregon, to-wit: A portion of Lot 40 of FAIR ACRES SUBDIVISION No. 1, more particularly described as follows: Beginning at a point 298.4 feet South of the NW corner of said Lot No. 40; thence East 140 feet; thence North 20 feet; thence East 173 feet to the East line of said Lot 40; Thence South on the East line of said Lot 40, 105 feet; thence West 313 feet to the West line of said Lot 40; thence North along the West line of said Lot 40, 65 feet, more or less, to the point of beginning.

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their assigns and the heirs of such survivor, forever; provided that the grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.

And the grantor above named hereby covenants to and with the above named grantees, their heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, that the said premises are free from all encumbrances subject to contract and/or lien for irrigation and/or drainage; easements and rights of way of record and those apparent on the land if any; and to taxes for the 1967-68 tax year which became a lien on July 1, 1967, but are not yet payable.

and that grantor will warrant and forever defend the above granted 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 \$3,000.00. However, the actual consideration consists of and includes the property or value given or promised, which is part of the consideration and is not to be omitted.

In construing this deed and where the context so requires, the singular includes the plural, the masculine includes the feminine and the neuter and, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on the 10th day of June, 1968; if the grantor is a corporation, it has caused its corporate name to be signed and its corporate seal to be affixed hereunto by its officers duly authorized thereunto by order of its board of directors.

MOUNTAIN TITLE COMPANY, has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property.

(If executed by a corporation, the name of the corporation and the name of the officer or officers who executed the instrument shall be described therein.)

STATE OF OREGON, }
County of Klamath } ss.

Personally appeared the above named John F. Rose and Anne P. Rose and acknowledged the foregoing instrument to be a voluntary act and deed.

Before me: Notary Public for Oregon
My commission expires: 9-13-69

(OFFICIAL SEAL)

STATE OF OREGON, County of Klamath, } 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, 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)

NOTE—The sentence between the symbols ©, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

WARRANTY DEED

(SURVIVORSHIP)

John and Ann Rose

DECEASED

TO

D.P. Rotherham
1555 Kane Street
Klamath Falls, Oregon 97601

D.P. Rotherham
1555 Kane
Klamath Falls, Oregon 97601

STEVENS-NEES LAW PUB. CO., PORTLAND, ORE.

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

Fee \$30.00

STATE OF OREGON,

County of Klamath, } ss.

I certify that the within instrument was received for record on the 1st day of Dec., 1992, at 3:18 o'clock PM., and recorded in book M92 on page 28423. Record of Deeds of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

Title.

By Pauline M. Nielsen, Deputy.