

66735

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. M63 Page 21217

KNOW ALL MEN BY THESE PRESENTS, That WILLIAMSON RIVER ASSOCIATES, a limited partnership: FRED W. KOEHLER, JR. and ALEX D. KRENTEL, general partners, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by BRUCE T. MULVANEY and SHARON KAY MULVANY, husband and wife, 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:

See attached description marked Exhibit "A" and by this reference made a part hereof.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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 \$ 27,500.00. However, the actual consideration consists of or includes other property or value given or promised which is 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 15th day of November, 1978; 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)

Fred W. Koehler, Jr.
Fred W. Koehler, Jr.
Gen. Partner - Williamson River Associates

STATE OF OREGON, } ss.
County of Klamath
November 15, 1978

Personally appeared the above named
Fred W. Koehler, Jr.

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires July 16, 1980

STATE OF OREGON, County of _____ ss.
_____, 19____

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)

Notary Public for Oregon

My commission expires:

Williamson River Associates
PO Box 1376
Tustin, CA 92680
GRANTOR'S NAME AND ADDRESS

Bruce T. Mulvany, et ux
PO Box 42
Chiloquin, OR 97624
GRANTEE'S NAME AND ADDRESS

After recording return to:

Bruce T. Mulvany
po Box 42
Chiloquin, OR 97624
NAME, ADDRESS, ZIP

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

Bruce T. Mulvany
PO Box 42
Chiloquin, OR 97624
NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.

County of _____

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.

By _____ Recording Officer
Deputy

SPACE RESERVED
FOR
RECORDER'S USE

08-24-93P01:39 RCVD

EXHIBIT "A"

LEGAL DESCRIPTION

That portion of the NE $\frac{1}{4}$ of Section 21, lying West of State Highway No. 97 in Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM the following:

Beginning at the point of intersection of the North line of said Section 21 and the Westerly right-of-way line of State Highway No. 97, said point also being North 89° 38' 45" West 468.2 feet from the Northeast corner of said Section 21; thence South 1° 56' 30" West along said right-of-way 1694.4 feet more or less, to the center of a road approach to said Highway No. 97; thence following the centerline of said road, the meander line being as follows:

South 64° 44' West, 253.0 feet;
 South 63° 47' West, 213.4 feet;
 North 57° 27' West, 323.3 feet;
 North 76° 06' West, 136.0 feet;
 North 60° 27' West, 129.6 feet;
 North 33° 58' West, 191.0 feet;
 North 11° 01' West, 92.1 feet;
 North 39° 16' West, 56.0 feet;

Thence, leaving said road, West 1020.4 feet, more or less, to the West line of said NE $\frac{1}{4}$ of section 21, thence Northerly along said West line of said NE $\frac{1}{4}$ of Section 21, 1346.4 feet, more or less, to the North Quarter-corner of said Section 21, thence South 89° 38' 45" East, along the North line of Said Section 21, 2165.2 Feet, more or less, to the true point of beginning.

SUBJECT, however to the following:

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last ten(10) or lesser number of years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
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. Right of way of the Pacific Telephone and Telegraph Company for a telephone line approved December 6, 1930, by Jos. M. Dixon, First Assistant Secretary, subject to the provisions of the Act of March 3, 1901 (31 Stat. L., 1058-1083) Departmental regulations thereunder; and subject also to any prior valid existing right or adverse claim.
4. Right of way of the Oregon State Highway Commission for a highway approved August 26, 1946, by Girard Davidson, Assistant Secretary, subject to the provisions of the Act of March 3, 1901 (31 Stat. L., 1058-1084) Departmental regulations thereunder; and subject also to any prior valid existing right or adverse claim.
5. Right of way to the Oregon State Highway Commission for 22.77 acres for a Quarry Cinder Pit and highway approved May 19, 1950, by Raymond H. Bitney, Superintendent, Klamath Indian Agency by authority vested in him by Secretarial Order No. 2242, dated Sept. 9, 1946 (11 Fed. Reg. 10296), and the Order of the Commissioner of Indian Affairs, No. 544, dated Sept. 23, 1947 (12 Fed. Reg. 6970), and Amendment No. 1 to Order 544, subject to the provisions of Section 4 of the Act of March 3, 1901 (31 Stat. 1084; 25 U.S.C., Section 311), and Departmental Regulations thereunder (25 Code of Federal Regulations, Part 256), as may be amended hereafter.
6. All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Della Otool, deceased Klamath Allottee No. 1227, as disclosed by Deed recorded in Volume 293, page 242, Records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title co the 24th day of Aug. A.D., 19 93 at 1:39 o'clock P M., and duly recorded in Vol. M93 of Deeds on Page 21217.

FEE \$35.00

Evelyn Biehn County Clerk

By W. A. Mendenhall