

85304

K-46824

WARRANTY DEED TO CREATE ESTATE BY THE ENTIRETY

THIS INDENTURE WITNESSETH, that Billee Schrieber, Gene R. Byrnes, James Ray Byrnes Trust, Gene A. Schrieber, Michelle R. Lenninger formerly, Michelle R. Gratz, James M. Byrnes, Shannon Gayle Van Dyke formerly Shannon G. Byrnes, hereinafter known as Grantors, for the consideration hereinafter stated, have bargained and sold, and by these presents do grant, bargain, sell and convey unto Chas C. Ehlers and Maurene W. Ehlers, husband and wife, hereinafter known as Grantees, the following described premises, situated in Klamath County, Oregon, to-wit:

Lots 12A, 12B, 12C, 12D, 13, 14A, 14B, 15A and 15B Block 2 Railroad Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon Account No. 3809-33BB-700 Key N0 414581

SUBJECT TO: 1. easements and rights of way of record and those apparent upon the land

2. Agreement, including the terms and provisions thereof, by and between Lowell N. Jones Co., an Oregon corporation, as first party and Asphalt Construction Co., a co-partnership consisting of Gene R. Byrnes, Billee Schrieber, Michelle R. Lenninger formerly Michelle R. Gratz, Shannon Gayle Van Dyke formerly Shannon G. Byrnes, James M. Byrnes, Gene A. Schrieber and the James Ray Byrnes Trust, second parties, dated December 26, 1990, recorded January 2, 1991, in volume M91 page 27., Deed records of Klamath County, Oregon.

3. Subject to taxes for 1994-95 which are a lien but not yet payable

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$60,626.89.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said grantees as an estate by the entirety. And the said grantors do hereby covenant, to and with the said grantees, and their assigns, that they are the owners in fee simple of said premises; that they are free from all incumbrances, 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 seal this ____ day of July, 1994.

Billee Schrieber
Billee Schrieber

Michelle R. Gratz
Michelle Lenninger formerly
Michelle R. Gratz

Gene A. Schrieber Gene A. Schrieber

Billee Schrieber
Billee Schrieber, his attorney-in-fact

Gene R. Byrnes
Gene R. Byrnes

Shannon Gayle Van Dyke Shannon Gayle Van Dyke

By Gene R. Byrnes
Gene R. Byrnes, her attorney-in-fact

James M. Byrnes James M. Byrnes

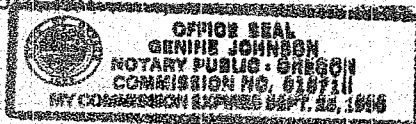
By Gene R. Byrnes
Gene R. Byrnes, his attorney-in-fact

After Recording Return to: Chas C. Ehlers
Chas C. Ehlers
1401 Pacific Terrace
Klamath Falls, OR 97601

James Ray Byrnes Trust James Ray Byrnes Trust
 By Gene R. Byrnes, trustee
 Gene R. Byrnes, Trustee

STATE OF OREGON)
 County of Klamath) SS Dated: August 1, 1994.

Personally appeared the above named Billee Schrieber, Michelle R. Lenninger formerly Michelle R. Gratz and acknowledged the foregoing instrument to be their voluntary act and deed.

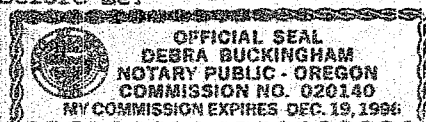


Gene R. Byrnes
 Notary Public for Oregon
 My Commission Expires: 9/28/96

STATE OF OREGON)
 County of Klamath) SS Dated: July 28th, 1994.

Personally appeared Billee Schrieber who, being duly sworn, did say that she is attorney in fact for Gene A. Schrieber and that she executed the foregoing instrument by authority of and in behalf of said principal, **and she acknowledged said instrument to be the act and deed of said principal. **and herself individually

Before me:



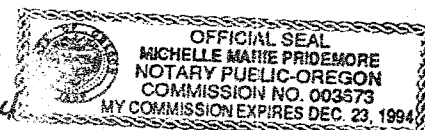
Debra Buckingham
 Notary Public for Oregon
 My Commission Expires: 12-19-96

STATE OF OREGON)
 County of Klamath) SS Dated: July 25, 1994.

Personally appeared the above named Gene R. Byrnes and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Michelle Marie Pridemore
 Notary Public for Oregon
 My Commission Expires: 12-23-94

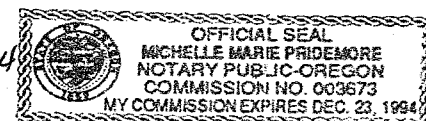


STATE OF OREGON)
 County of Klamath) SS Dated: July 25, 1994.

Personally appeared Gene R. Byrnes who, being duly sworn, did say that he is attorney in fact for Shannon Gayle Van Dyke formerly Shannon Gayle Byrnes and James M. Byrnes and that he executed the foregoing instrument by authority of and in behalf of said principals; and he acknowledged said instrument to be the act and deed of said principals.

Before me:

Michelle Marie Pridemore
 Notary Public for Oregon
 My Commission Expires: 12-23-94

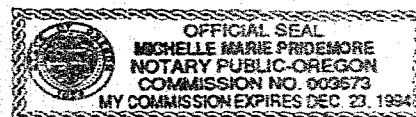


STATE OF OREGON)
 County of Klamath) SS Dated: July 25, 1994.

On this 25th day of July, 1994, before me a notary public in and for said county and state, personally appeared Gene R. Byrnes, Trustee of the James Ray burns Trust, known to me to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Michelle Marie Pridemore
 Notary Public for Oregon
 My Commission Expires: 12-23-94



After recording return to:
Chas C. Ehlers
1401 Pacific Terrace
Klamath Fall, OR 97601

Until a change is requested,
send all tax statements to:
Chas C. Ehlers
1401 Pacific Terrace
Klamath Falls, OR 97601

STATE OF OREGON)
County of Klamath) SS
I certify that the within instrument was
received for record on the 3rd day of
Aug. 19 94, at 10:53 o'clock
A M., and recorded in book M94 on page
page 23925 Record of Deeds of said county.

WITNESS my hand and seal of County affixed.
 Evelyn Biehn, County Clerk
 BY Pauline Messendorfer Deputy

Fee \$40.00