

94276

01-31-95P03:29 RCV

WARRANTY DEED—SURVIVORSHIP

6176

KNOW ALL MEN BY THESE PRESENTS, That SYBIL L. ROBIN aka SIBYL L. ROBIN, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by FRED R. SCHWEITZER and RELA L. SCHWEITZER, husband and wife, 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 \_\_\_\_\_, State of Oregon, to-wit:

(See the reverse side of this Deed for the Description of Real Property.)

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 said premises, that same are free from all encumbrances except as set forth on the reverse side 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 \$29,000.00. 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):

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 22 day of August, 1988; 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.

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.

STATE OF OREGON, ) ss.  
County of Klamath  
August 22, 1988

Personally appeared the above named Sybil L. Robin aka Sibyl L. Robin

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

Before me, Notary Public for Oregon, My commission expires 5-13-90

Sybil L. Robin aka Sibyl L. Robin  
6160 Delaware Avenue  
Klamath Falls OR 97603

Fred R. Schweitzer and  
Rela L. Schweitzer  
Rt. 3, Box 236A, Klamath Falls OR 97601

After recording return to:  
Aubrey G. Spears & Oletta C. Spears  
5621 Holiday Rd.  
Klamath Falls, OR 97601

Until a change is requested all tax statements shall be sent to the following address.  
Fred R. L. / Rela L. L. Schweitzer  
Rt. 3, Box 236A / Aubrey Spears  
Klamath Falls OR 97601  
5621 Holiday Rd.

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: Notary Public for Oregon, My commission expires: (If executed by a corporation, affix corporate seal)

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/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Deeds of said county.

Witness my hand and seal of County affixed.

By \_\_\_\_\_ Deputy

DESCRIPTION OF REAL PROPERTY

BEGINNING at an iron pipe which is S 89°08' W. 372.2 feet from the Northeast corner of the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 13, Township 39 South, Range 8 E.W.M.; thence N. 40°25' W. 179.5 feet to an iron pipe; thence S. 61°58' W. 229.2 feet to an iron pipe; thence S. 25°46' E. 190.0 feet to an iron pipe; thence N. 59°00' E. 275.7 feet to the place of beginning, containing 1.06 acres, lying in the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 13, Township 39 South, Range 8 E.W.M.

SAVING AND EXCEPTING the following described property: BEGINNING at an iron pipe which is South 89°08' West 372.2 feet from the Northeast corner of the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 13, Township 39 South, Range 8 E.W.M.; thence N. 40°25' W. a distance of 179.5 feet to an iron pipe; thence S. 61°58' W. 75 feet; thence Southeasterly to a point which is S. 59°00' W. a distance of 110 feet from the place of beginning; thence North 59°00' E. a distance of 110 feet to the point of beginning.

SUBJECT TO: Contracts and/or liens for irrigation and/or drainage, the schedule of exclusions from coverage, together with any schedules contained in standard title policies, reservations, easements, restrictions and rights of way of record and those apparent on the land.

ALSO SUBJECT TO: Rights of the public in and to any portion of the herein-described premises lying within the boundaries of roads or highways.

ALSO SUBJECT TO: The lien of any bonds issued and outstanding assessments, water and irrigation rights, easements for roads, ditches and canals and regulations concerning the Plevna District Improvement Company's project.

ALSO SUBJECT TO: No means of ingress or egress to or from the hereinabove described property as disclosed by the Klamath County Assessor's map.

ALSO SUBJECT TO: Right of way for pole line conveyed to the California Oregon Power Company, a corporation, by deed recorded March 30, 1926, on page 383 of Volume 69 of Deed records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath First Federal the 31st day of Jan. A.D. 19 95 at 3:29 o'clock p. M., and duly recorded in Vol. M95 of Deeds on Page 2209.

FEE \$35.00

Bernetha G. Letsch, County Clerk

By D. Andrew Mulholland