

5704

DEED CREATING ESTATE BY THE ENTIRETY

Vol. 1195 Page 24102

KNOW ALL MEN BY THESE PRESENTS, That Paul Donahoe

hereinafter called the grantor, the spouse of the grantee hereinafter named, for the consideration hereinafter stated, has bargained and sold and by these presents does grant, bargain, sell and convey unto Donna J. Donahoe, herein called the grantee, an undivided one-half of the following described real property situated in Klamath County, Oregon, to-wit: A Parcel of land in Lot 15, Section 16, Township 41 South, Range 12 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point on the Southeasterly right of way of the County, Road, known as the Depot Road, extending from the City of Malin, to the Great Northern Railroad Depot, which point of beginning is South 89°50' East 296.4 feet; thence South 256.9 feet to the Southeasterly line of said road, and thence North 73°00' East along the Southerly line of said road, a distance of 160.3 feet from the brass cap monument marking the Northeast corner of Lot 14, Section 16, Township 41 South, Range 12 East of the Willamette Meridian; thence South 128.15 feet; thence North 89°34' East 40 feet; thence North 141.9 feet to the Southeasterly line of said Depot Road; thence South 71°00' West a distance of 42.3 feet to the point of beginning. (see reverse for continuation of description)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining;

TO HAVE AND TO HOLD an undivided one-half of the above described real property unto the grantee forever.

The above named grantor retains a like undivided one-half of that same real property, and it is the intent and purpose of this instrument to create and there hereby is created an estate by the entirety between husband and wife as to this real property.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -0-

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which) (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

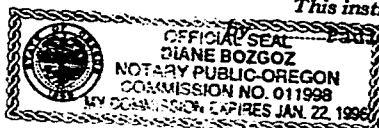
WITNESS grantor's hand this 1 day of September, 1995

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.

Paul Donahoe

STATE OF OREGON, County of Klamath

This instrument was acknowledged before me on September 7, 1995



Diane Bozgoz

My commission expires 1-22-96

Paul Donahoe

1580 Depot Road

Malin, Oregon 97632

Grantor's Name and Address

Donna J. Donahoe

1580 Depot Road

Malin, Oregon 97632

Grantee's Name and Address

After recording return to (Name, Address, Zip):

Paul Donahoe

1580 Depot Road P.O. Box 175

Malin, Oregon 97632

Until requested otherwise send all tax statements to (Name, Address, Zip):

Paul and Donna Donahoe

1580 Depot Road

Malin, Oregon 97632

SPACE RESERVED FOR RECORDER'S USE

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/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.

NAME

TITLE

By Deputy

24103  
2773

50855  
(continuation of legal description)

**SUBJECT TO:**

Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

Reservations as contained in U.S. Patent from the United States of America to Vaclav J. Spolke, dated November 2, 1921, recorded April 25, 1939 in Volume 121, page 545, including but not limited to the following:

"That no person shall at any one time or in any manner, except as hereinafter otherwise provided, acquire, own or hold irrigable land for which entry or water right application shall have been made under the said reclamation Act of June seventeenth, nineteen hundred and two, and Acts supplementary thereto and amendatory thereof, before final payment in full of all installments of building and betterment charges shall have been made on account of such land in excess of one farm unit as fixed by the Secretary of the Interior as the limit of area per entry of public land or per single ownership of private land for which a water right of way may be purchased respectively, nor in any case in excess of one hundred and sixty acres, nor shall water be furnished under said Acts nor a water right sold or recognized for such excess; but any such excess land acquired at any time in good faith by descent, by will, or by foreclosure of any lien may be held for two years and no longer after its acquisition; and every excess holding prohibited as aforesaid shall be forfeited to the United States by proceedings instituted by the Attorney General for that purpose in any court of competent jurisdiction; and this proviso shall be recited in every patent and water right certificate issued by the United States under the provisions of this Act."

Regulations, including the levies, assessments, water and irrigation rights and easements for ditches and canals of Klamath Irrigation District.

An easement created by instrument, including the terms and provisions thereof,

Dated: August 15, 1931

Recorded: December 1, 1931

In favor of: California Oregon Power Company

For: Power lines

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 7th day of Sept A.D., 19 95 at 10:28 o'clock A M., and duly recorded in Vol. M95 of \_\_\_\_\_ Deeds on Page 24102

FEE \$35.00

Bernetha G. Leisch, County Clerk

By *[Signature]*