

OK 14333

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 196 Page 6128

KNOW ALL MEN BY THESE PRESENTS, That

THEODORE E. DICKEN

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by CLINT E. PACE and KAREN I. BIRD, 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 "Exhibit A" attached hereto and incorporated herein by reference.

(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 those of record and apparent on the land

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 \$ 15,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 23rd day of NOVEMBER, 19 87; 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.

THEODORE E. DICKEN

STATE OF OREGON,

STATE OF OREGON, County of _____) ss.

County of Klamath

November 23, 19 87

Personally appeared the above named

THEODORE E. DICKEN

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 _____

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

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.

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires 6-21-88

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

(If executed by a corporation, affix corporate seal)

Theodore E. Dicken

GRANTOR'S NAME AND ADDRESS

Clint E. Pace & Karen I. Bird

GRANTEE'S NAME AND ADDRESS

After recording return to:

Clint E. Pace and Karen I. Bird

7849 Highway 140 E

Klamath Falls, OR 97603

NAME, ADDRESS, ZIP

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

Clint E. Pace & Karen I. Bird

no change

NAME, ADDRESS, ZIP

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

MAR -6 AM 1:45

"EXHIBIT A"

Parcel 1 of Major Land Partition No. 18-87

A tract of land situated in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 39 South, Range 10 E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of the said NE $\frac{1}{4}$ NW $\frac{1}{4}$; thence North 30.00 feet; thence West 828.00 feet; thence S. 89°59'46" W. 128.00 feet; thence North 36.11 feet to the Southeast corner of that tract of land described in Volume M79, page 18246 of the Klamath County Deed Records; thence S. 89°59'46" W. 245.00 feet to the Southwest corner of said tract of land; thence North 853.52 feet to the True Point of Beginning; thence continuing North 110.38 feet to the Northwest corner of said tract of land described in Volume M79, page 18246; thence N. 89°59'46" E. 245.00 feet to the Northeast corner of said tract of land described in Volume M79, page 18246; thence South 239.61 feet; thence, along the Northerly edge of the Enterprise Irrigation District Irrigation Canal, S. 89°40' W. 16.97 feet, N. 84°17' W. 91.43 feet, N. 78°05' W. 52.13 feet, N. 66°53' W. 35.30 feet and N. 29°16' W. 109.57 feet to the True Point of Beginning, containing 1.20 acres and with bearings based on record of survey No. 2993, Major Land Partition No. 18-87.

TOGETHER WITH an easement 30 feet in width thru Parcel 2 of said Major Land Partition No. 18-87, more particularly described as follows:

An easement 30 feet in width lying Northerly and Easterly of the following described line. Beginning at the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, T. 39 S., R. 10 E.W.M., Klamath County, Oregon; thence North 30.00 feet; thence West 828.00 feet; thence S. 89°59'46" W. 128.00 feet; thence North 36.11 feet to the Southeast corner of that tract of land described in Volume M79, page 18246 of the Klamath County Deed Records; thence S. 89°59'46" W. 50.00 feet to the True Point of Beginning of said easement; thence along the South and West line of that tract described in said Volume M79, page 18246, S. 89°59'46" W. 195.00 feet and North 853.52 feet with bearings based on Recorded Survey No. 2993.

FURTHER SUBJECT TO:

- 1) Acreage and use limitations under provisions of United States Statutes and regulations issued thereunder;
- 2) Liens and assessments of Klamath Project and Enterprise Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith;
- 3) Rules, regulations, liens, and assessments of Klamath Basin Improvement District, and any unpaid charges or assessments in connection therewith.
- 4) Terms and provisions in Deed from Robert L. Horton and Louisa L. Horton, husband and wife, and Don Kenyon and Elva Kenyon, husband and wife to the State of Oregon, by and through its Department of Transportation, Highway Division, dated May 14, 1974, recorded July 16, 1974, in Volume M74, page 8671, Deed Records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title the 6th day of March A.D., 1996 at 10:45 o'clock AM, and duly recorded in Vol. M96 of Deeds on Page 6128.

FEE \$35.00

Bernetha G. Letsch, County Clerk
By Cathy Russell