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WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 196 Page 31737

KNOW ALL MEN BY THESE PRESENTS, That OTIS CHAPPELL and MARY L. CHAPPELL, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Mario A.C. Della Casa and Cheryle L. Della Casa, 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:

Lot 32, CASITAS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. Assessments, if any, due to the City of Klamath Falls for water use.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
3. The premises herein described and within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
4. Irrigation laterals as shown on dedicated plat.
5. Reservations as contained in plat dedication, to wit:

(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 on 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 \$17,000.00. 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 20th day of September, 1982; 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)

STATE OF OREGON, Multnomah } ss.
County of Klamath }
September 20, 1982

Personally appeared the above named OTIS CHAPPELL and MARY L. CHAPPELL, husband and wife

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

Before me:

Notary Public for Oregon

My commission expires June 4, 1986

STATE OF OREGON, County of) ss.
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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:

(OFFICIAL SEAL)

Mr. & Mrs. Otis Chappell

GRANTOR'S NAME AND ADDRESS

Mario and Cheryle Della Casa

GRANTEE'S NAME AND ADDRESS

John & Martha Pigeon

3831 Hope Street

Klamath Falls, Or 97603

NAME, ADDRESS, ZIP

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

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/reel/volume No. on

page or as document/fee/file/

instrument/microfilm No.

Record of Deeds of said county.

Witness my hand and seal of

County affixed.

NAME

TITLE

By

Deputy

"This plat is approved subject to the following conditions: (1) The owners of the land in this subdivision, their heirs and assigns in whom title may be vested shall always, at their own expense, properly maintain and operate such system. (2) That Klamath Irrigation District, its successors and assigns, and the United States, person, firm or corporation operating the irrigation works of the Klamath Irrigation District, shall never be liable for damage caused by improper construction, operation or care of such irrigation system or for lack of sufficient water for irrigation, liability of the operators of Klamath Irrigation District being limited to furnishing water at established outlets in the U.S.R.S. Lateral."

6. Reservations, including the terms and provisions thereof, as contained in Deed recorded November 8, 1948 in Volume 226, page 311, Deed Records of Klamath County, Oregon, to wit:

"reserving unto the grantors, their heirs and assigns, as owners of the other lots in said Casitas, the perpetual right and easement to construct, operate, and maintain drainage and/or irrigation ditches along and across said real property for the benefit of such other lots."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 7th day of October A.D. 19 96 at 10:49 o'clock A.M., and duly recorded in Vol. M96 of Deeds on Page 31737.

FEE \$35.00

Bernetha G. Letsch County Clerk

By Kathleen Rose