

ATC #02047379 '98 JUN 29 AM 1:19

WARRANTY DEED - TENANTS BY ENTIRETY

KNOW ALL MEN BY THESE PRESENTS, That GEORGE F. CRAIN and LUCILLE CRAIN, hereinafter called the Grantor, for the consideration hereinafter stated to the grantor paid by GERALD O. HERMAN and NELDA A. HERMAN, 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:

A parcel of land situated in the N 1/2 of Section 2, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the Northwest corner of Section 2, Township 41 South, Range 10 East of the Willamette Meridian; thence East along the North boundary line of said Section 2897.40 feet; thence South 1938.42 feet; thence West 2830.74 feet to the East meander line of Lost River; thence Northerly following said meander line 695.64 feet to an intersection of said line with the West boundary line of said Section; thence North 1302.84 feet to the place of beginning.

EXCEPTING rights of way for the Great Northern Railway; also excepting that part of said tract lying Westerly of the right of way of the Dalles-California Highway as conveyed to Thomas P. Barry and Winnifred Barry by Deed dated April 25, 1945 and recorded in Volume 180 at page 211 of Deed Records of Klamath County, Oregon. ALSO EXCEPTING that property deeded in Deed Volume 350 at page 265 to Ralph T. Plimpton, et ux.

Subject to the following:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
3. Location of power, telephone, water and sewer lines as the same may now exist.
4. Acceptance of Terms and Conditions of Reclamation Extension Act, including the terms and provisions thereof, executed by Purl R. Merrill, to United States, recorded November 11, 1914, in Volume 43, page 37, Deed Records of Klamath County, Oregon.
5. Subject to the terms and conditions of Great Northern Railway Company easement, recorded July 13, 1931 in Volume 95, page 541, Deed Records of Klamath County, Oregon, and Correction Deed recorded October 13, 1932, in Volume 99, page 108, Deed Records of Klamath County, Oregon.
6. Easements, if any, including the terms and provisions thereof, pertaining to the Little Adams Canal.
7. RESERVING AND EXCEPTING to the Grantors, their heirs, executors, administrators, personal representatives and assigns forever, the right to the use of a strip of land 12 feet in width along the north side of said land for the purpose of constructing, maintaining, using and repairing an open irrigation ditch for the purpose of irrigating approximately 45 acres of land owned by Grantors,

located East and North of the above described land; and Grantors expressly reserve a reasonable right of ingress to and egress from the above described premises for the purpose of using, constructing, repairing and maintaining any irrigation ditch on said reserved strip.

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 assumed by Grantee above and those imposed by the Grantee and that Grantor will warrant and for ever 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 \$125,000.00. 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.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

In Witness Whereof, the grantor has executed this instrument this 4th day of April, 1984.

George F. Crain
GEORGE F. CRAIN

Lucille Crain
LUCILLE CRAIN

STATE OF OREGON)
) ss.
County of Klamath)

On this 4th day of April, 1984, personally appeared the above named George F. Crain and Lucille Crain and acknowledged the foregoing instrument to be their voluntary act and deed.

Sandra Stelle
NOTARY PUBLIC for Oregon
My Commission expires: 7/13/85

Grantor's name and address:

George F. Crain
Lucille Crain

Grantee's name and address:

Gerald O. Herman
Nelda A. Herman14606 Anderson Rd.
Klamath Falls, Ore. 97603

After recording return to:

Gerald O. Herman
Nelda A. Herman14606 Anderson Rd.
Klamath Falls, Ore. 97603

Mail tax statements to:

Gerald O. Herman
Nelda A. Herman14606 Anderson Rd.
Klamath Falls, Ore. 97603

STATE OF OREGON)

) ss.

County of Klamath)

I certify that the within instrument
was received for record on the 29TH day of
JUNE, 1998, at 11:19
o'clock A.M., and recorded in
book/reel/volume No. M98 on page 22732 or
as document/fee/file/ instrument/microfilm
No. 61083 Record of Deeds of said county.

BERNETHA G. LETSCH, CO. CLERK

Name

Title

By

Kathleen Ross

FEE 40.00