

WARRANTY DEED—TENANTS BY ENTIRETY

Vol. 7099 Page 15218

KNOW ALL MEN BY THESE PRESENTS, That Klara M. Mathis  
also known as Klara Mathis

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Joseph M. Kingsbury and Hannalore A. Kingsbury, 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 attached description)

(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 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 \$ 250,000.00

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 ①, 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 28<sup>th</sup> day of December, 1978; 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.

Klara M. Mathis

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, }  
County of Klamath } ss.  
December 28, 1978

Personally appeared the above named  
Klara M. Mathis

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

Before me:  
(OFFICIAL SEAL) Arlene P. Addington  
Notary Public for Oregon  
My commission expires 3-22-81

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: \_\_\_\_\_  
(OFFICIAL SEAL)

Klara M. Mathis  
Ashland Star Route  
Klamath Falls, Oregon 97601  
GRANTOR'S NAME AND ADDRESS

Joseph M. & Hannalore A. Kingsbury  
P. O. 176  
Keno, Oregon 97627  
GRANTEE'S NAME AND ADDRESS

After recording return to:  
975 Chickses DR

6005 BAY OR 97420  
NAME, ADDRESS, ZIP

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

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 \_\_\_\_\_ on page \_\_\_\_\_ or as  
file/reel number \_\_\_\_\_  
Record of Deeds of said county.

Witness my hand and seal of  
County affixed.

By \_\_\_\_\_ Recording Officer  
Deputy

SPACE RESERVED  
FOR  
RECORDER'S USE

EXHIBIT "A", PROPERTY DESCRIPTIONPARCEL 1

A piece or parcel of land situate in portions of Government Lots 2 and 4 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , all in Section 34, Township 40 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at the meander corner of the 1858 meander line, common to Sections 27 and 34, Township 40 South, Range 8 East of the Willamette Meridian; thence South 15 58' 10" East 174.6 feet to a point on the Southeasterly right of way line of U. S. Highway 97 as the same is presently located and constructed; thence South 32 22' West along said Southeasterly highway right of way line 668.75 feet to an O.S.H. D. brass disc monument; thence continuing South 32 22' West along said highway right of way line 1227.35 feet to the true point of beginning of this description; thence South 57 38' East 300.00 feet to a point; thence South 32 22' West 1306.80 feet to a point; thence North 57 38' West 300.00 feet to a point on the Southeasterly right of way line of said highway U. S. 97; thence North 32 22' East along said highway right of way 1306.80 feet, more or less, to the true point of beginning, said property being a portion of Tracts 73, 76, 77 and portion of McCullough Street of the plat of Worden, now vacated and portion of Tracts 74 and 75 of Worden.

PARCEL 2

A parcel of land lying in the NW $\frac{1}{4}$  of Section 34, Township 40 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, the said parcel being described as follows:

Beginning on the Southwesterly line of Lot 75 of the Townsite of Worden at a point 80.05 feet Northwesterly (when measured along said Southwesterly line) from the center line of The Dalles-California Highway; thence Southeasterly along said Southwesterly line to a line which is parallel with and 50 feet Northwesterly of said center line; thence Southwesterly parallel with and 50 feet Northwesterly of said center line to the South line of said NW $\frac{1}{4}$ ; thence West along said South line to the Northwesterly line of that property designated as Parcel 2 and described in that deed to Klamath County, recorded in Book 101, at page 470, Klamath County Record of Deeds; thence Northeasterly along said Northwesterly line to the most Northerly corner of said property; thence North-easterly in a straight line to the point of beginning.  
EXCEPT THEREFROM: the Northerly 30 feet of vacated McCullough Street.

EXHIBIT "A", PROPERTY DESCRIPTIONPARCEL 3

A portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 34, Township 40 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon more particularly described as follows:

Beginning at the Northwest corner of a tract of land conveyed by Deed recorded June 19, 1978 in Book M-78 at page 12959, Microfilm Records; thence Southwesterly along the Westerly line of the property conveyed in Deed Volume M-78 at page 12959, to the South line of the NW $\frac{1}{4}$  of said Section 34; thence Westerly a distance of 118.3 feet, more or less, to the Southeasterly right of way line of the Southern Pacific Railroad property; thence Northeasterly along the Southeasterly boundary of said railroad right of way 488.8 feet, more or less to the Northerly line of McCullough Street in the plat of Worden, now vacated; thence Southeast along the North line of said McCullough Street, now vacated to the point of beginning.  
EXCEPT THEREFROM the Northerly 30 feet of McCullough Street, now vacated.

SUBJECT TO: 1. An easement created by instrument, including the terms and provisions thereof,

Dated : March 13, 1940 Book: 128 Page: 65  
Recorded : March 22, 1940  
In favor of : California Oregon Power Company, a corporation  
For : A 50 foot wide electric transmission line

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

Dated : September 6, 1941  
Recorded : December 9, 1941 Book: 143 Page: 149  
In favor of : California Oregon Power Company, a California Corporation  
For : A 10 foot wide electric transmission line

3. Limited access in deed to State of Oregon, by and through its Department of Transportation, Highway Department, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,

Recorded : March 30, 1978 Book M-78 Page: 6020  
Correction : June 19, 1978 Book M-78 Page: 12959

4. Reservations and restrictions, including the terms and provisions thereof, contained in Deed dated March 28, 1978, recorded March 30, 1978, in Book M-78 at page 6020, Microfilm Records. Correction Deed dated June 14, 1978, recorded June 19, 1978, in Book M-78 at page 12959, Microfilm Records.

5. Easement for existing public utilities in vacated street area reserved by vacation recorded in Book 167 at page 263 and Book 99 at page 445, Deed Records, and the conditions imposed by said vacation.

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STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the \_\_\_\_\_ 26th day  
of \_\_\_\_\_ April \_\_\_\_\_ A.D., 1999 at 8:43 o'clock A.M., and duly recorded in Vol. M99  
of \_\_\_\_\_ Deeds \_\_\_\_\_ on Page 15218

FEE \$40.00

3.00 c

Linda Smith, County Clerk

by Kathleen Ross