

MTC 1396-1101

1999 JUL -8 PM 3:36

WARRANTY DEED—TENANTS BY ENTIRETY

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KNOW ALL MEN BY THESE PRESENTS, That

Daniel Bailey

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Roger E. Havens and Patricia A. Havens, 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:

The Northeast Quarter of the Northwest Quarter of Section 25, Township 35 South, Range 11 East, of the Willamette Meridian in the County of Klamath and State of Oregon.

Subject, however, to the following:

1. 1979-1980 taxes, a lien in an amount to be determined, but not yet payable.
2. The rights of the public in and to that portion of the above property lying within the limits of public roadways.
3. Reservations, including the terms and provisions thereof, as contained in deed from United States Department of Interior to Roland James Hicks, dated May 1, 1959, recorded May 11, 1959, in Volume 312, Page 340, Deed

(For continuation of this document, see reverse side of this deed.)

(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 upon 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 \$16,000.00. However, the actual consideration consists of or includes other property or value given or promised which is 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 24th day of March, 1980; 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,)
County of Klamath) ss.
March 24, 1980

Personally appeared the above named
Daniel Bailey

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

(OFFICIAL SEAL)

Before me:
Judy Blum
Notary Public for Oregon
My commission expires 8-23-81

STATE OF OREGON, County of) ss.

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)

AMERITLE, has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be denoted therein.

GRANTEE'S NAME AND ADDRESS

After recording return to:

Richard A. Canacho
719 Apache Tr.
Riverside, CA 92507

NAME, ADDRESS, ZIP

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

SAME - NO CHANGE

NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

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 _____ 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

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Records of Klamath County, Oregon, described as follows:

"Sale subject to 60-foot right-of-way for Indian Service Road No. S-55, approved by M. M. Zollar, Superintendent, Klamath Agency, Oregon, pursuant to the provisions of the Act of February 5, 1948, (62 Stat. 18; 25 U. S. C. 323-328); Public Law 587, August 13, 1954 (68 Stat. 772, Section 17); and Departmental Regulations (26 CFR 161, 22 FR 248), and subject to prior valid existing right or adverse claim.

Title to the above-described property is conveyed subject to all other existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record; and there is hereby reserved any and all roads, trails, telephone lines, etc., actually constructed by the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr. January 13, 1916, 44 L. D. 513)."

Grantor retains a 30 foot wide non-exclusive meandering roadway easement access to the county road through the South half of the Southeast quarter for mining, timbering and agriculture and all other roadway purposes.

State of Oregon, County of Klamath
Recorded 7/ 8/99, at 3:36 P. M.
In Vol. M99 Page 27427
Linda Smith,
County Clerk Fee \$ 35 - RR