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Vol M03 Page 05798

STATE OF OREGON,

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TERESA K. PENHALL

9026 HIGHWAY #39

KLAMATH FALLS OR 97603

Grantor's Name and Address

JOHN M. PENHALL

9026 HIGHWAY #39

KLAMATH FALLS OR 97603

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

TERESA K. PENHALL &amp; JOHN M. PENHALL

9026 HIGHWAY #39

KLAMATH FALLS OR 97603

Until requested otherwise, send all tax statements to (Name, Address, Zip):

TERESA K. PENHALL &amp; John M. penhall

9026 HIGHWAY #39

KLAMATH FALLS OR 97603

SPACE RESERVED  
FOR  
RECORDER'S USE

State of Oregon, County of Klamath

Recorded 01/30/2003 11:42 a m.

Vol M03 Pg 05798-99

Linda Smith, County Clerk

Fee \$ 26<sup>00</sup> # of Pgs 2

aputy.

MTC 13916-4641

## DEED CREATING ESTATE BY THE ENTIRETY

KNOW ALL BY THESE PRESENTS that TERESA K. PENHALL who acquired title as TERESA K. STARR

\_\_\_\_\_, hereinafter called grantor,  
the spouse of the grantee hereinafter named, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto  
JOHN M. PENHALL, hereinafter called the grantee,  
an undivided one-half of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in  
any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION WHICH IS MADE A PART HEREOF BY  
THIS REFERENCE

AMERITITLE 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 described therein.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold an undivided one-half of the above described real property unto the grantee forever.

The above named grantor retains a like undivided one-half of that same real property, and it is the intent and purpose of this instrument to create, and there hereby is created, an estate by the entirety between husband and wife as to this real property.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 1.00. <sup>ⓐ</sup> However, the  
actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate  
which) consideration. <sup>ⓑ</sup> (The sentence between the symbols <sup>ⓐ</sup>, if not applicable, should be deleted. See ORS 93.030.)

IN WITNESS WHEREOF, the grantor has executed this instrument on January 29, 2003

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN  
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGU-  
LATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON  
ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPRO-  
PRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES  
AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST  
PRACTICES AS DEFINED IN ORS 30.930.

Teresa K PenhallSTATE OF OREGON, County of Klamath ss.This instrument was acknowledged before me on January 29, 2003  
by TERESA K. PENHALL formerly known as TERESA K. STARR

Kristil L. Redd  
Notary Public for Oregon  
My commission expires 11/16/2003

26.00

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A portion of the SE1/4 of Section 25, Township 39 South, Range 9, East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point which bears South 89 degrees 57' West a distance of 260.0 feet from the Northeast corner of the SE1/4 of said Section 25, said point being the Northwest corner of Parcel conveyed to R. L. Fleming by Deed Volume 146, page 382; thence Continuing South 89 degrees 57' West a distance of 10.3 feet; thence South 72 degrees 41' West along a line parallel with and 12 feet distance at right angles Southeasterly from the center line of that certain drain ditch, the easement for which was granted by Sophia S. Henley to the Gordon Marsh Construction Co. by conveyance dated April 29, 1931, and recorded in Deed Volume 106, page 32, Records of Klamath County, Oregon a distance of 196.7 feet; thence South 83 degrees 19' West 216.8 feet; thence leaving said drainage ditch North 52 degrees 23' West 517.7 feet; thence South 29 degrees 25' West 39.3 feet, more or less, to a point in the North right of way line of the U. S. No. 1 Drain of the U.S.R.S., thence Following said North right of way line Southeasterly to its intersection with the Northwestern line of the U.S.R.S. "C" canal; thence Northeasterly along said line to the East line of said Section 25; thence North along said East line a distance of 303 feet, more or less, to the Southeast corner of said Fleming parcel; thence South 89 degrees 57' West along South line of last mentioned parcel 260 feet to the Southwest corner thereof; thence North along the West line thereof 128 feet to the point of beginning.

EXCEPTING THEREFROM any portion thereof lying with the right of way of the Klamath Falls-Malin Highway.

ALSO EXCEPTING THEREFROM the following described portions thereof:

1. That portion thereof conveyed to the United States of America by deed recorded on page 509, of Volume 29, Deed Records of Klamath County, Oregon, and on page 6 of Volume 88 said record of Deeds.
2. That portion thereof conveyed to Klamath County, Oregon, by deed recorded on page 629 of Volume 75 of Deed Records of Klamath County, Oregon.
3. That portion thereof conveyed to the United States of America by instrument recorded on page 308, of Volume 229, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING that portion lying South of the North right of way line of the No. 1 drain.