

1-1-74

WARRANTY DEED—TENANTS BY ENTIRETY

Vol M04 Page 81628

KNOW ALL MEN BY THESE PRESENTS, That **Howard Steve Condley and Dixie Rae Condley, husband and wife,**

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by **Clyde Ghan and Phyllis Ghan**, 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:

All that portion of the E½ of the NW¼ of the SW¼ of Section 11, Township 35 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying South of the centerline of the Sprague River and Westerly of the road known as the Drews Ranch Road.

Subject, however, 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. Rights of the public and governmental bodies in and to that portion of the premises herein described lying below the high water mark of Sprague River.
3. Reservations as contained in Land Status Report recorded November 5, 1958, in Volume 306, page 13, Deed Records of Klamath County, (for continuation of this contract see reverse side of this contract)

(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 \$ **39,000.00**

~~However, the actual consideration consists of or includes other property or value given or promised which is~~ **part of the** consideration (indicate which).^① (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 **14th** day of **September**, 19 **81**; 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.
October 12/2, 19 **81**.

Personally appeared the above named **Howard Steve Condley and Dixie Rae Condley, husband and wife** and acknowledged the foregoing instrument to be **their** voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires **7/13/85**

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:

(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires:

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 covered therein.

GRANTEE'S NAME AND ADDRESS

After recording return to:

NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

SPACE RESERVED
FOR
RECORDER'S USE

State of Oregon, County of Klamath
Recorded 11/29/2004 **11:11** A m
Vol M04 Pg **81628-29**
Linda Smith, County Clerk
Fee \$ **26.00** # of Pgs **2**

Oregon, to-wit:

"The above described property is subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipelines 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, with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States.

4. A Roadway and Utility Easement, including the terms and provisions thereof,

In favor of: Duane and Gayle Burnham, husband and wife

Dated: December 8, 1978

Recorded: January 9, 1981

Volume: M81, page 362, Microfilm Records of Klamath County, Oregon.

5. An Easement, including the terms and provisions thereof,

In favor of: Duane and Gayle Burnham

Dated: October 23, 1978

Recorded: January 9, 1981

Volume: M81, page 365, Microfilm Records of Klamath

County, Oregon

For: roadway