

A-17955

6530

4-66

5596

## WARRANTY DEED

THIS INDENTURE WITNESSETH, That CARDULA EELLS, aka CARDULA E. EELLS, a single woman, herein called "grantor", in consideration of TEN AND NO/100 (\$10.00) DOLLARS to her paid, has bargained and sold and by these presents does grant, bargain, sell and convey to PENNELOPY L. ROGERS, a married woman, herein called "grantee", her heirs and assigns forever, the following-described premises, situated in Klamath County, State of Oregon:

Beginning at an iron pin which lies West along the Section line a distance of 1398.6 feet and North 4°00' West a distance of 56.5 feet and North 58°43' East a distance of 43.15 feet and North 18°30' East a distance of 151.4 feet and North 7°30' East a distance of 171.9 feet and North 1°00' East a distance of 139.4 feet and North 50°20' West a distance of 95.15 feet and North 43°50' West a distance of 191.55 feet from the iron pin which marks the quarter section corner common to Sections 1 and 12, Township 38 S., R. 8 E.W.M. in Klamath County, Oregon, and running thence North 46°50' West a distance of 91.35 feet to an iron pin; thence North 54°20' West a distance of 83.7 feet to an iron pin; thence North 0°03' West a distance of 78.65 feet to an iron pin; thence North 37°33' East a distance of 101.7 feet to an iron pin; thence South 54°37' East a distance of 267.9 feet to an iron pin; thence South 51°30' West a distance of 188.5 feet, more or less, to the point of beginning, situate in Government Lot 3, Section 1, Township 38 S., R. 8 E.W.M.



SUBJECT TO: (1) Grant of right of way for pole and wire lines, including the terms and provisions thereof, given by Cove Point Corporation, an Oregon corporation, to The California Oregon Power Co., a California corporation, dated May 8, 1948, recorded May 12, 1948, Vol. 220 of Deeds, Page 363, records of Klamath County, Oregon, said right of way given to correct right of way executed by Cove Point Corporation, an Oregon corporation, to The California Oregon Power Co., dated June 24, 1947, recorded June 26, 1947, Vol. 208, Page 119, Klamath County Deed Records.

(2) Agreement, including the terms and provisions thereof, between Cove Point Corporation and F. L. Somers and Cecile G. Somers, his wife, dated May 1, 1945, recorded May 4, 1945, Vol. 176 of Deeds, Page 133, records of Klamath County, Oregon.

(3) Reservations and restrictions contained in deed from B. E. Eells and Cardula Eells, husband and wife, to F. L. Somers and Cecile G. Somers, husband and wife, dated April 30, 1945, recorded May 11, 1945, Vol. 176 of Deeds, Page 210, records of Klamath County, Oregon, as follows: "Subject to release of claim for damages by reason of raising or lowering water of upper Klamath Lake pursuant to release heretofore given to CUPCO recorded in Vol. \_\_\_\_\_, Page \_\_\_\_\_, Deed records of Klamath County, Oregon. Subject to the following restrictions and reservations: An easement or easements over, across, or

43

5597

through said land is reserved in favor of all other property owners in said lot 3 for water pipe, sewer pipe, telephone or electric lines, poles and fixtures so long as the same shall not unduly interfere with grantees' use of said property; grantees covenant and agree that they will, within 5 years, construct a home upon said premises of first-class construction having not less than 1200 square feet of floor space on the main floor, being not higher than one story on the uphill side and with a roof pitch not to exceed 6 inch rise to 12 inch run; that all outbuildings and garages shall be of a construction and design similar to the home; that not more than one dwelling place, excluding servants quarters shall be constructed on the premises and that they will not suffer or permit any use of the premises which will be deleterious, injurious or annoying to other owners in the same community, and that they will not convey or allow said premises to be conveyed to any person or persons except Americans of the white race."

together with all tenements, hereditaments and appurtenances hereunto belonging or appertaining, and all estate, right, title and interest in and to the same.

TO HAVE AND TO HOLD the said premises unto grantee, her heirs and assigns forever. Said grantor does covenant to and with said grantee, her heirs and assigns, that she is the owner of said premises, being lawfully seized in fee simple thereof; that said premises are free from all encumbrances, except as above stated; and that she and her heirs and representatives will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this

16 day of MAY, 1966.

Cardula E. Eells (SEAL)

STATE OF OREGON

County of HOOD RIVER

ss.

Personally appeared the above-named CARDULA EELLS, aka CARDULA E. EELLS, a single woman, known to me to be the identical person described as grantor in the within Deed, and acknowledged the foregoing instrument to be her voluntary act and deed.

BEFORE ME this 16 day of MAY, 1966.

Charles R. Rogers  
NOTARY PUBLIC FOR OREGON  
My commission expires Sept 5, 1967

STATE OF OREGON; COUNTY OF CLATSOP; ss.

Filed for record at request of Klamath Co. Title Co.

this 27th day of May, 1966 at 10:00 o'clock P.M., and

duly recorded in Vol. 1166, of Deeds, on Page 5596

DOROTHY ROGERS, County Clerk

See \$300 pd By Dorothy Rogers 44

Return to  
H. L. Smith  
536 Main  
(Warranty Deed - 2)  
City