

4349

WARRANTY DEED

Vol. 15 Page 10192

KNOW ALL MEN BY THESE PRESENTS, That C. P. PEYTON and DORIS A. PEYTON

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by TWIN CITY BUILDERS, INC.,

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

(See exhibit A attached hereto and by this reference made a part hereof.)

SUBJECT TO reservations, including the terms and provisions thereof, as shown in deed from Enterprise Land and Investment Company, a corporation, to Alfred B. Collier and Ethel P. Collier, husband and wife, dated January 18, 1941, recorded March 14, 1941 in Vol. 136 at page 165, Deed Records of Klamath County, Oregon. (Affects portion in Enterprise Tracts, only)

ALSO SUBJECT TO reservations, restrictions, easements and/or rights-of-way of record and those apparent on the land.

(If space insufficient, continue description on reverse side)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as hereinabove set forth,

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 \$75,000.00. ~~However, the actual consideration consists of, or includes, other property or value given or promised, which is the whole or part of the consideration (indicate which):~~ ~~It is hereby agreed that the above stated consideration should be deleted; see Vol. 136, Deed Records of Klamath County, Oregon, at page 165.~~

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 19 day of June, 1975; 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.  
June 19, 1975.

Personally appeared the above named  
C. P. PEYTON and DORIS  
A. PEYTON

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

Before me: *[Signature]*  
(OFFICIAL SEAL)  
Notary Public for Oregon  
My commission expires 4/2/75

STATE OF OREGON, County of ) ss.  
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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:

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

*THA Marline*

NAME, ADDRESS, ZIP

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

*Western Bank  
P.O. Box 1099  
Coos Bay, Oregon*

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/roll number

Record of Deeds of said county.

Witness my hand and seal of County affixed.

By

Recording Officer  
Deputy

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The following described real property in Klamath County, Oregon:

A tract of land 320 feet wide North and South, in ENTERPRISE TRACTS NO. 38A and No. 41B, and lying North of the North line of the country road known as the extension of Eberlein Avenue and bounded on the North by the Northerly line of Wantland Avenue of Darrow Addition to the City of Klamath Falls, Oregon, extended East to the right of way of the U.S.R.S. Canal; also, such fragment of Enterprise Tracts No. 30 lying South of the U.S.R.S. Canal, as may remain after conveyance heretofore made by Enterprise Land and Investment Company to the U.S.R.S. for right of way, and to Klamath County, Oregon, for road purposes, together with vacated portions of Allandale and Applewood Streets described as Parcels 1 & 2 in Volume 70 page 4511, Klamath County, recorded June 5, 1970, in the SW $\frac{1}{4}$  Section 34, Township 38 South, Range 9 East of the Willamette Meridian,

EXCEPTING, HOWEVER, those certain parcels heretofore conveyed to the United States of America for right of way of the main canal and "B" Lateral of the United States of America Irrigation System, and to Klamath County, Oregon, for rights of way of roads known as the extension of Eberlein Avenue and Washburn Way.

EXCEPTING ALSO that certain parcel of land deeded by Alfred D. Collier and Ethel F. Collier, husband and wife, to Geo. H. Merryman and Mabel C. Merryman, husband and wife, and George H. Merryman, Jr. and Elizabeth F. Merryman, husband and wife, recorded May 2, 1941 in Book 137 at page 359, Deed Records of Klamath County, Oregon.

EXCEPTING ALSO that certain parcel of land deeded by Alfred D. Collier and Ethel F. Collier, husband and wife, to Klamath County, Oregon, recorded May 11, 1941 in Book 137 at page 542, Deed Records of Klamath County, Oregon, BUT INCLUDING ALSO the rights and privileges reserved in said deed to Alfred D. Collier and Ethel F. Collier, said land being deeded to Klamath County, Oregon, for the use as a county road as therein set forth.

EXCEPT that portion lying West of the East line of vacated Applewood Street.

EXHIBIT A

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of TRANSAMERICA TITLE INS. CO.  
this 29th day of AUGUST 1975 at 3:50 o'clock P M., and  
duly recorded in Vol. M 75, of DEEDS on Page 10192  
FEE \$ 6.00

Wm D. MILNE, County Clerk  
By *Hazel Drazic*