

15688

Vol. 76 Page

9818

MTC # 438-1885

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That ROBERT R. BRILEY and LORETTA B. BRILEY, husband and wife, hereinafter called the Grantor, for the consideration thereafter stated, to Grantor paid by DALE Z. KIRBY and ANN M. KIRBY, husband and wife, 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:

Lot 19, MOYINA, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

SUBJECT TO: The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District; A 30 foot building set back from all street sides as shown on dedicated plat; Easements, conditions and restriction as contained in plat dedication, to-wit: "We do hereby grant public easements for sewer lines and other public utilities along the rear ten feet of all lots and across edges of lots near lot lines where necessary for public health and welfare, and that we do hereby this plat to be subject to the following conditions: (1) The use of land platted herein is for residential purposes only and is limited to one residential building per lot; (2) Architectural standards shall be no less than the minimum requirements, defined by the National Housing Authority specifications for one living unit; (3) Minimum foundation areas of residences, not including garage or storage space, shall be as follows: One story residence, 1200 square feet; one and one-half or two story residences, 800 square feet. Total height of a building is limited to 18 feet above the top of the foundation; (4) Residences shall not be built closer than thirty feet to the street lines nor closer than five feet to side lines of the lots; (5) Septic tanks shall conform to the specifications for such provided by the State Board of Health; (6) Pets or livestock, other than strictly house pets, shall not be kept or housed on the property; (7) No fences or barricades are ever to be erected on lots between the building set back line and the street." And, Mortgage, including the terms and provisions thereof, dated March 9, 1972, recorded March 13, 1972

WARRANTY DEED (Briley/Kirby)

Page 1

in Volume M72, page 2698, Microfilm Records of Klamath County, Oregon, Mortgagor: Robert R. Briley and Loretta B. Briley and Mortgagee: State of Oregon.

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 those listed above 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 \$40,850.00.

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 27th day of June, 1976.

Robert R. Briley
Robert R. Briley

Loretta B. Briley
Loretta B. Briley

STATE OF OREGON)
County of Klamath) ss.

Personally appeared the above named ROBERT R. BRILEY AND LORETTA B. BRILEY and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
Charles J. Addington
Notary Public for Oregon
My commission expires: 3-21-77

9850

Grantor's name and address

Grantee's Name and address

After Recording return to:

Mr. & Mrs. Dale Z. Kirby

1400 Carlson Drive

Klamath Falls, Oregon 97601

Name, Address, Zip

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

Dept of Veterans' Affairs

General Services Bldg.

1225 Ferry St., Salem, Oregon 97310

Name, Address, Zip

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of MOUNTAIN TITLE CO

this 29th day of June A. D. 1976. of 2:39 o'clock P.M., and

fully recorded in Vol. M 76, of DEEDS on Page 9848

FEE \$ 9.00

Wm D. MILNE, County Clerk

By Heidi Drayton

WARRANTY DEED (Briley/Kirby)
Page 3