

1-1-74

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WARRANTY DEED Vol. 76 Page 17065

GLENDALE LAW PUBLISHING CO., PORTLAND, ORE. P7204

KNOW ALL MEN BY THESE PRESENTS, That RALPH W. TORGERSON and EMMA J. TORGERSON, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JERRY ALAN RIECKE and MARLA GAYLE RIECKE, 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 45, Block 1, Tract No. 1078, SECOND ADDITION TO KELENE GARDENS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT TO: 1. Reservations, restrictions, rights of way and/or easements of record and those apparent on the land. 2. Taxes for the fiscal year 1976-1977, a lien but not yet due and payable. 3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District. 4. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District. 5. Warranty Clearance Easement, including the terms and provisions thereof in favor of United States of America dated May 28, 1964, recorded June 12,

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 stated

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 \$30,000.00. (However, the actual consideration consists of interest in property or liability which is not shown in the above symbols. (The sentence between the symbols, 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 26 day of September, 1976; 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.

*Ralph W. Torgerson  
Emma J. Torgerson*

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, )  
County of Klamath, ) ss.  
September 26, 1976.

STATE OF OREGON, County of, ) ss.

, 19

Personally appeared \_\_\_\_\_ and  
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)

Before me:  
*Donald V. Brown*  
(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11-17-78

RALPH W. TORGERSON and EMMA J.  
TORGERSON, husband and wife,

Notary Public for Oregon

My commission expires:

GRANTOR'S NAME AND ADDRESS

JERRY ALAN RIECKE and MARLA GAYLE  
RIECKE, husband and wife,

GRANTEE'S NAME AND ADDRESS

After recording return to:

*MTC*

NAME, ADDRESS, ZIP

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

1st Federal Sav. and Loan  
main st.  
City

NAME, ADDRESS, ZIP

STATE OF OREGON,

ss.

County of \_\_\_\_\_

I certify that the within instrument was received for record on the  
day of \_\_\_\_\_, 19\_\_\_\_\_,  
at \_\_\_\_\_ o'clock A.M. and recorded  
in book \_\_\_\_\_ on page \_\_\_\_\_ or as  
file/reel number \_\_\_\_\_,  
Record of Deeds of said county.

Witness my hand and seal of  
County affixed.

Recording Officer  
By \_\_\_\_\_ Deputy

SPACE RESERVED  
FOR  
RECORDER'S USE

17066

in Volume 353, page 455, Deed Records of Klamath County, Oregon. (Blanket Easement) 6. Easement created by instrument, including the terms and provisions thereof, dated September 15, 1969, recorded September 24, 1969, in Volume M69, page 8242, Microfilm Records of Klamath County, Oregon, in favor of South Suburban Sanitary District for sewer line 10 feet in width (Exact location not disclosed) 7. Setback provisions as delineated on the recorded plat, 20 feet from front and rear lot lines. 8. Restriction, but omitting restrictions, if any, based on race, color, religion or national origin, as shown on the recorded plat of Second Addition to Kelene Gardens, to wit: "This plat is approved subject to the following conditions: 1. The owner of the land in this subdivision, their heirs and assigns in whom title may be vested, shall always at their own expense, properly install, maintain and operate such irrigation system. 2. The Klamath Irrigation District, its successors and assigns and the United States, person, firm or corporation operating the irrigation works of said District, shall never be liable for damage caused by improper construction, operation or care of such system, overflow or seepage or for lack of sufficient water for irrigation. 3. The liability of the operators of said District shall be limited to the delivery of water at established outlets of the U.S.B.R. Canal. 4. Lots 40 thru 43 will always be subject to irrigation assessments whether or not irrigation water is furnished." 9. Covenants, Conditions, Restrictions and Easements, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument including the terms and provisions thereof, recorded September 17, 1974 in Volume M74, page 12277, Microfilm Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of MOUNTAIN TITLE CO  
this 27th day of OCTOBER 76 11:46 A.D. 1976 o'clock AM and  
duly recorded in Vol. M 76, of DEEDS on Pg. 17065

FEE \$ 6.00

By Wm D. MILNE County Clerk  
*[Signature]*