

1-1-74

29865

WARRANTY DEED—TENANTS BY ENTIRETY Vol. 77 Page

KNOW ALL MEN BY THESE PRESENTS, That Agnes Helmers, a single woman,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by LYNN Theodore Day, III and Nancy T. Day, 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:

Lot 23 in MOYINA, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon;

Subject, however, to the following:

(1) The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.

(2) Building setback line 30 feet along street side and front of lot, as shown on dedicated plat.

(3) Utility and sewer easement along rear 10 feet of lot, as shown on dedicated plat.

(4) Reservations as contained in plat dedication, to wit:

"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 See reverse side for continuation of this description."

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 \$ 37,000.00

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 19th day of May, 1977; 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.

Agnes Helmers

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, ss.
County of Klamath
May 19, 1977

Personally appeared the above named Agnes Helmers, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me, Notary Public for Oregon
My commission expires 2-3-79

STATE OF OREGON, County of ss.
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.

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

GRANTOR'S NAME AND ADDRESS
GRANTEE'S NAME AND ADDRESS
After recording return to:
2nd National Bank of Oregon
P.O. Box 1436
Klamath Falls, Oregon 97601
NAME, ADDRESS, ZIP
Until a change is requested all tax statements shall be sent to the following address:
Same as above
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 6'clock M., and recorded in book on page or as file/record number of Deeds of said county. Witness my hand and seal of County affixed.
By Recording Officer Deputy

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 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 setback line and the street."

(5) Any encroachments, unrecorded easements, violations of conditions, covenants and restrictions, and any other matters which would be disclosed by a correct survey. The company will make an inspection of the premises and this exception may be eliminated or limited as a result thereof.

(6) Proof that there are no parties in possession, or claiming to be in possession, other than above vestees.

(7) Any statutory liens for labor or material, including liens for contributions due to the State of Oregon for unemployment compensation and for workmen's compensation, which have now gained or hereafter may gain priority over the lien of the insured mortgage, which liens do not now appear of record.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of MOUNTAIN TITLE CO 3:43

this 19th day of MAY A. D. 1977 at 3 o'clock P. M., and

duly recorded in Vol. M77, of DEEDS on Page 8788

FEE \$ 6.00

Wm D. MILNE, County Clerk

By [Signature]