

1-1-74

30097

## WARRANTY DEED—TENANTS BY ENTIRETY

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KNOW ALL MEN BY THESE PRESENTS, That Henry E. Oberheide and Aline C. Oberheide

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by John L. Bowers and Connie Bowers, 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:

The South 60 feet of Tract 1, YALTA GARDENS according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT TO: The statutory powers, including the power of assessment of Enterprise Irrigation District. Statutory powers, including the power of assessment of South Suburban Sanitary District. A 30 foot building setback line as show on dedicated plat. Restrictions as contained in plat dedication, to-wit: "Dedicate, donate and convey to the public, for public use forever the roads, irrigation laterals, underground irrigation system and Lot 66 for a park, subject to the setback lines as shown on the annexed plat and an easement over all lots for future sewers or utilities along the back line of all lots." Reservations as contained in deed recorded January 6, 1947 in Volume 200 at page 413, Deed Records of Klamath County, Oregon, to-wit: (A) Principal buildings shall be single family dwellings with a floor foot of not less than 750 sq. ft., temporary structures and occupancy of same for living quarters shall not be permitted, neither shall tract be subdivided. (B) House shall be of standard construction with floor plans and designs meeting with grantors approval. (C) No buildings shall be located nearer to the front tract line than 40 feet

(SEE REVERSE)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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 those of record

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 \$ 26,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (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 24 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.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Klamath

May 24, 1977

Personally appeared the above named Henry E. Oberheide and Aline C. Oberheide

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires

MARCH 30, 1981

My commission expires:

Henry E. and Aline C. Oberheide

7569 Cannon Street

Klamath Falls, Oregon 97601

GRANTOR'S NAME AND ADDRESS

John L. and Connie Bowers

1438 Gary Street

Klamath Falls, Oregon 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

First Federal Savings and Loan Assn.

540 Main Street

Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

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

First Federal

540 Main

City

NAME, ADDRESS, ZIP

STATE OF OREGON, County of ss.

Personally appeared 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 be-

half 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:

Notary Public for Oregon

My commission expires

My commission expires:

STATE OF OREGON,

County of ss.

I certify that the within instru-

ment was received for record on the

day of 19

at o'clock 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

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or nearer to the side tract lines than 5 feet. The side line restriction shall not apply to garages or other buildings in the rear. (D) Subject however to an easement for ditches and pipelines to convey water for irrigation and domestic use for benefit of property owners. Said ditches and pipelines would follow as near as possible property lines. (E) Animals shall be restricted to household pets. Fowls limited to 150. (F) The above restrictions are in effect on Tracts facing on Wiard Street, YALTA GARDENS."

STATE OF OREGON; COUNTY OF KLAMATH; ss.

and for record at request of MOUNTAIN TITLE CO

this 25th day of MAY A. D. 1977 at 2:20 o'clock P.M.

duly recorded in Vol. M77 of DEEDS on Page 9105

FEE \$ 6.00

Wm. D. MILNE, County Clerk

By Hazel Mayel