

1-1-74

41539

WARRANTY DEED

Vol. <sup>m</sup> 78 Page 612

KNOW ALL MEN BY THESE PRESENTS, That ORMAND MARKS and HENRIETTA D. MARKS, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CHARLES A. FISHER and RONALD E. PHAIR, 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:

That portion of Lot 58, FIRST ADDITION TO SUMMERS LANE HOMES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at the Southeast corner of said Lot 58; thence North 89° 55½' West 90 feet to an iron pin; thence North at right angles 90 feet to an iron pin; thence South 89° 55½' East 90 feet to an iron pin; thence South 90 feet to the point of beginning.

SUBJECT TO:

1. Rules, regulations and statutory powers, of South Suburban Sanitary District.
2. Rules, regulations and statutory powers, of Klamath Irrigation District.
3. Right of Way, recorded March 16, 1909 in Volume 25, page 628.
4. Building setback line 20 feet from street as shown on dedicated plat.
5. Easement for sanitary sewers and public utilities along rear eight feet of lot, as shown on dedicated plat.
6. Restrictions as contained in plat dedication.
7. Covenants, conditions and restrictions, recorded December 12, 1958 in Volume 307,\*\*\*

(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

\*\*\*page 441. 7. Right of Way, recorded April 20, 1959 in Volume 311, page 620.

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 \$40,980.00.

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the 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 3rd day of January, 1978; 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, } ss.  
County of Klamath  
January 3, 1978

Personally appeared the above named  
Ormand Marks and Henrietta D. Marks

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

Before me,  
(OFFICIAL SEAL) *John B. Butler*  
Notary Public for Oregon  
My commission expires: 8-23-81

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
Personally appeared \_\_\_\_\_, 19\_\_\_\_, 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:  
Charles A. Fisher & Ronald E. Phair  
403 Main Street  
Klamath Falls, Oregon

Until a change is requested all tax statements shall be sent to the following address:  
Western Bank  
P. O. Box 669  
Klamath Falls, Oregon

NAME, ADDRESS, ZIP

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON, } ss.  
County of Klamath

I certify that the within instrument was received for record on the 10th day of January, 1978, at 3:22 o'clock P.M., and recorded in book M78 on page 612 or as file/reel number 41539.

Record of Deeds of said county.  
Witness my hand and seal of County affixed.

Wm. A. Milne  
By *Benethard Ketch* Recording Officer Deputy

Fee \$3.00