

MOUNTAIN TITLE COMPANY

MOUNTAIN TITLE COMPANY

52394

52083

6726-111
WARRANTY DEED

Vol. 118 Page 15842

KNOW ALL MEN BY THESE PRESENTS, That Robert B. Wilkeson and Patricia A. Wilkeson, Husband and Wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Donald R. McCasland and Phyllis J. McCasland, 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, State of Oregon, described as follows, to-wit: Lot 7 in Block 4 of 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.

THIS DEED IS BEING RE-RECORDED TO CORRECT LEGAL DESCRIPTION.

(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 listed on reverse, or those apparent upon the land, if any, as of the date of this deed.

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 \$39,500.00. However, the actual consideration consists of or includes other property or value given or promised which is 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 21 day of July, 1978; if a corporate grantor, it has caused its name to be signed and sealed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

Robert B. Wilkeson

Patricia A. Wilkeson

STATE OF OREGON,

County of Klamath

July 21, 1978

STATE OF OREGON, County of

Personally appeared

Personally appeared the above named Robert B. Wilkeson and Patricia A. Wilkeson

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

Robert B. and Patricia A. Wilkeson

GRANTOR'S NAME AND ADDRESS
Donald R. and Phyllis J. McCasland

GRANTEE'S NAME AND ADDRESS

Donald R. McCasland

4913 Darwin

Klamath Falls, Oregon 97601

NAME, ADDRESS, ZIP

Check or change is requested all tax statements shall be sent to the following address:
NO Change

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of 19

at o'clock M., and recorded in book on page or as file/roll number

Record of Deeds of said county.

Witness my hand and seal of County affixed.

By Recording Officer Deputy

MOUNTAIN TITLE COMPANY

1. Taxes for the fiscal year 1978-1979, a lien but not yet due and payable.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment of South Suburban Sanitary District.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
4. Setback provisions as delineated on the recorded plat, 20 feet from front and rear lot lines.
5. Utility easements as delineated on the recorded plat.
6. Restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, as shown on the recorded plat of Second Addition to Kelene Garden 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 through 43 will always be subject to irrigation assessments whether or not irrigation water is furnished."

7. 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 and recorded in Volume M75, page 8074, all Microfilm Records of Klamath County, Oregon. (copy attached)

8. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.

Dated: April 7, 1977

Recorded: April 7, 1977

Volume: M77, page 5844, Microfilm Records of Klamath County, Oregon

Amount: \$26,220.00

Mortgagor: Robert B. Wilkeson and Patricia A. Wilkeson, husband and wife

Mortgagee: State of Oregon, represented and acting by the Director of Veterans' Affairs (L-M64415)

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.

on the 21st day of July A. D. 1978 at 11:11 o'clock A. M., on

is recorded in Vol. M78 of Deeds on Page 15842

Wm D. MILNE, County Clerk

By [Signature]

Fee \$6.00

INDEXED

D. [Signature]

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.

on the 27th day of July A. D. 1978 at 9:15 o'clock A. M., on

is recorded in Vol. M78 of Deeds on Page 16324

Wm D. MILNE, County Clerk

By [Signature]

Fee \$6.00