

54657

WARRANTY DEED

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19868



KNOW ALL MEN BY THESE PRESENTS, That Charles Digati Construction Company, Inc.

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Peggy O'Neill

, 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 11 in Block 17, Tract 1127, NINTH ADDITION TO SUNSET VILLAGE, 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. The premises herein described are within and subject to the statutory powers, including the power of assessment, Sunset Village Lighting District.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.

(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 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 \$ 65,900.00

(If the actual consideration consists of or includes other property or value given or promised which is the subject-matter of this deed, the words "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 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," should be deleted. See ORS 93.030.)

In constituting 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 7th day of September, 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.

CHARLES DIGATI CONSTRUCTION COMPANY, INC.

By: *Charles Digati*

By: *Charles Digati*

(If executed by a corporation, the corporate seal)

STATE OF OREGON,

County of

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Personally appeared the above named

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

STATE OF OREGON, County of Klamath) ss.

September 7, 1978

Personally appeared *Charles Digati* and *John R. Digati* 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 Charles Digati Construction Company, Inc., 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:

John Nelson

Notary Public for Oregon

My commission expires: 2-3-79

(OFFICIAL SEAL)

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of 1978, at o'clock M., and recorded in book on page or as life/reel number Record of Deeds of said county. Witness my hand and seal of County affixed.

Recording Officer

Deputy

By

After recording in the Public Record of Klamath County, Oregon, the following address:
Peggy O'Neill
6309 MARSHALL DRIVE
KLAMATH FALLS, OREGON 97603
NAME, ADDRESS, ZIP

4. ~~20138~~ Foot utility and drainage easement over the rear of lot as shown on dedicated plat.

5. Reservations as contained in plat dedication, to-wit:
 "said plat subject to: (1) Easements for future public utilities, irrigation and drainage as shown on the annexed plat, easements to provide ingress and egress for construction and maintenance of said utilities, irrigation and drainage; (2) No changes will be made in the present irrigation, and/or drain ditches without the consent of the Enterprise Irrigation District, its successors or assigns; (3) Building setbacks shall comply with the Klamath County Zoning Ordinances of the RD - S, 000 Zone as of June, 1977; (4) All easements and reservations of record and additional restrictions as provided in any recorded protective covenants."

6. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms and provisions thereof, recorded in Volume M78, page 1523, Microfilm Records of Klamath County, Oregon. (copy attached.)

STATE OF OREGON; COUNTY OF KLAMATH; ss.

and for record at request of Mountain Title Co.

on 9th day of September A. D. 1978 at 11:30 A.M. or

day recorded in Vol. M78, of Deeds on Page 19868

W. D. MILNE, County Clerk

By [Signature] Hitch

Fee \$4.00