

58815

KNOW ALL MEN BY THESE PRESENTS, That Garlan L. Lowery and Charlotte A. Lowery, Husband and Wife.

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by William T. Gardiner and Glenda J. Gardiner, Husband and Wife

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 3 in Block 1 of CASCADE PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

(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

STATED ON THE REVERSE OF THIS DEED, OR 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 \$45,000.00

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 ①, 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 22 day of November, 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,

County of Klamath } ss.
November 22, 1978

Personally appeared the above named

Garlan L. Lowery and
Charlotte A. Lowery

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires July 13, 1981

STATE OF OREGON, County of _____ ss.

Personally appeared _____, 19____, and

each for himself and not one for the other, did say that the former is the _____, who, being duly sworn, president and that the latter is the _____ secretary of _____

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:

Garlan L. and Charlotte A. Lowery

GRANTOR'S NAME AND ADDRESS

William T. and Glenda J. Gardiner

GRANTEE'S NAME AND ADDRESS

After recording return to:

William T and Glenda J. Gardiner
3462 Denver Park
Klamath Falls, Oregon 97601
NAME, ADDRESS, ZIP

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

State Department of Veterans Affairs
1225 Ferry Street S. E.
Salem, Oregon
NAME, ADDRESS, ZIPSPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of _____ ss.

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/reel number _____

Record of Deeds of said county.

Witness my hand and seal of County affixed.

By _____

Recording Officer

Deputy

SUBJECT TO:

The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Project and Klamath Irrigation District.

26449

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

A 16 foot utility easement along Westerly lot line as shown on dedicated plat.

A 20 foot building setback line as shown on dedicated plat.

Reservations, restrictions and easements as contained in plat dedication, to wit: "said plat being subject to a 20-foot building set-back line along the front of all lots, a 15-foot set-back line along the side street lines, easements along the back and side lines of lots as shown on the annexed plat for present and future utilities, irrigation and drainage, said easements to provide ingress and egress for construction and maintenance of said tuilities with no permanent structure being permitted thereon and any plantings being placed thereon at the risk of the owner; and further restrictions as shown on the recorded protective covenants; no changes will be made in the present irrigation and/or drain ditches without the consent of the Klamath Irrigation District, its successors or assigns."

Subject to the easement for an irrigation ditch to carry irrigation water to tracts Westerly and below said piece of parcel of land, and to the right of way of the "E-2-1" Lateral of the United States Bureau of Reclamation, Klamath Project, as disclosed by instrument recorded in Volume 296, page 386, Records of Klamath County, Oregon.

Declaration of Restrictions and Conditions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms and provisions thereof, dated April 18, 1962 and recorded April 24, 1962, in Volume 337, page 44, Deed Records of Klamath County, Oregon, and Amendment thereto recorded June 10, 1964 in Volume 353, page 401, Deed Records of Klamath County, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.

on 22nd day of November A. D. 1978 at 2:56'clock P.M., and

only recorded in Vol. M78, of Deeds on Page 26449

Wm D. MILNE, County Clerk

By Barbara A. Kersch

Fee \$6.00