

59181

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That CHARLES DIGATI CONSTRUCTION COMPANY, INC. an Oregon corporation hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by C. SCOT ROBERTS and JUDITH A. ROBERTS, 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 and State of Oregon, described as follows, to-wit:

Lot 17 in Block 17, NINTH ADDITION TO SUNSET VILLAGE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

has no interest in the said premises, and does hereby warrant and defend 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 \$ 70,000.00

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 1 day of December, 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.
County of Klamath) ss.
12-1, 1978

Personally appeared Charles Digati and Charles Digati Construction Company, Inc. an Oregon Corporation

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: Jinda Stelle Notary Public for Oregon My commission expires: July 13, 1981

Before me: Jinda Stelle Notary Public for Oregon My commission expires: July 13, 1981

and acknowledged the foregoing instrument to be voluntary act and deed

STATE OF OREGON, County of Klamath) ss.
County of Klamath) ss.
12-1, 1978

Personally appeared the above named Charles Digati Construction Company, Inc. an Oregon Corporation

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.

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SUBJECT TO

The premises herein described are within and subject to the statutory powers, including the power of assessment of South Suburban Sanitary District 27072

The premises herein described are within and subject to the statutory powers, including the power of assessment, of Sunset Village Lighting District.

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

A 38 foot utility and drainage easement over the rear of lot as shown on dedicated plat.

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 - 8,000 Zone as of June, 1977; (4) All easements and reservations of record and additional restrictions as provided in any recorded protective covenants."

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.

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title co.

on the 1st day of December A. D. 1978 at 2:59 clock PM., and

fully recorded in Vol. M78 of Deeds on Page 27071

Wm D. MILNE, County Clerk

By Inaqueline J. Mettler

Fee \$6.00