

8# 04-91770 M/T 7590

64178

WARRANTY DEED - TENANTS BY ENTIRETY

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KNOW ALL MEN BY THESE PRESENTS, That Charles A. Fisher and Ronald E. Phair

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Gary W. Morris and Kathryn Morris, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their 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:

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°55' West 90 feet to an iron pin; thence North at right angles 90 feet to an iron pin; thence South 89°55' East 90 feet to an iron pin; thence South 90 feet to the point of beginning.

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.

(For continuation of this deed, see reverse side of this document.)

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantees and the heirs of the survivor and their 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 \$49,900.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

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 13th day of March, 1979; 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)

Charles A. Fisher
Ronald E. Phair

STATE OF OREGON,
County of Klamath } ss.
March 13, 1979

STATE OF OREGON, County of _____ ss.
_____, 19____

Personally appeared the above named
Charles A. Fisher and
Ronald E. Phair

Personally appeared _____ 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 _____

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

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) *Ronald V. Brown*

Before me:
Notary Public for Oregon
My commission expires: 11-12-82

Notary Public for Oregon
My commission expires: 11-12-82

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:
K7752L

NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.
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/reel number _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

By _____ Recording Officer
Deputy

2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
 3. A right of way created by instrument, including the terms and provisions thereof,

Recorded : March 16, 1909
 Volume : 25, page 628, Deed Records of Klamath County, Oregon
 In Favor of : United States
 For : Irrigation purposes
 Affects : Blanket easement

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, to wit:

"Convey unto all subsequent owners perpetual right to use of all irrigation and drainage ditches as shown on the plat and does hereby grant an 8 foot easement along the back of all lots for sanitary sewers and public utilities, said easement to provide ingress and egress for construction and maintenance of said utilities, with no structures being permitted thereon and any planting being placed thereon at the risk of the owner. Use of the land is for residential purposes only and is limited to one residential building per lot, with architectural standards being no less than the minimum requirements of the Federal Housing Authority specifications. Minimum foundation areas, not including garage or storage space shall be 1000 square feet for one-story residences and 800 square feet for one and one-half or two story residences. This plat is subject to a 20 foot building setback line as shown and no access will be permitted to Hope Street from Lots 43-46 as shown."

7. 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 December 12, 1958 in Volume 307, page 441, Deed Records of Klamath County, Oregon.

8. Right of Way, including the terms and provisions thereof, dated April 14, 1959, and recorded April 20, 1959 in Book 311, page 620, Deed Records of Klamath County, Oregon, between Perry & Day Building Contractors and the California Oregon Power Company, a California corporation.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Subscribed and sworn to before me for record at request of Mountain Title Co.

on the 16th day of March A. D. 1979 at 3:52 clock PM., and

is recorded in Vol. M79 of Deeds on Page 6089

Wm D. MILNE, County Clerk

By Bernetha J. Deloche

Fee: \$6.00