

75354

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, made this 15th day of January, 1980, That JAMES W. KERNS and DOROTHY C. KERNS, husband and wife, Grantors, for the consideration hereinafter stated, have bargained and sold and by these presents do grant, bargain, sell, and convey an undivided one-third interest unto JAMES W. KERNS and DOROTHY C. KERNS, husband and wife; an undivided one-third interest unto GERALD E. JOHNSON and JEAN A. JOHNSON, husband and wife; and an undivided one-third interest unto JAMES R. RANDOL and LYNN K. RANDOL, husband and wife, Grantees, the following-described premises in Klamath County, Oregon, to wit:

The South 450 feet of the N $\frac{1}{2}$ of Government Lot 5 in the NW $\frac{1}{4}$ of Section 12, Township 38 South, Range 8 E.W.M., SAVING AND EXCEPTING therefrom the South 225 feet of the N $\frac{1}{2}$ of Government Lot 5 in the NW $\frac{1}{4}$ of Section 12, Township 38 South, Range 8 E.W.M.

All of the above-described premises, which is hereinafter referred to as said PARCEL, is conveyed SUBJECT TO the following building and use restrictions, which Grantees, their heirs, devisees, grantees, and assigns, covenant and agree to observe and comply with and which shall forever run with and bind said PARCEL herein conveyed for the benefit of all of the adjoining land which is presently owned by the Grantors and Grantees, to wit:

(1) That all of said PARCEL herein conveyed will be used solely as a one-family residential estate; (2) That no building of any kind shall ever be placed, constructed, maintained or used on said PARCEL as long as the Grantors or their heirs own any interest in said PARCEL or in any adjoining land, except that the Grantors and their heirs may release said PARCEL from this restriction at any time by recording in the Deed Records of Klamath County, Oregon, a memorandum which expressly releases said PARCEL from this restriction; (3) That said PARCEL will be used and maintained in conformity with all applicable laws, regulations, rules, ordinances, and permits including, without limitation, all zoning and sanitation restrictions and requirements; and (4) That the foregoing covenants and restrictions shall be incorporated in and made a part of every deed or conveyance hereafter executed for the purpose of conveying said PARCEL or any interest therein.

AND, ALSO, SUBJECT TO: Agreements, including the terms and provisions thereof, to The California Oregon Power Company, recorded November 10, 1944, in Deed Vol. 170, page 437, Records of Klamath County, Oregon, in regards to the raising and lowering of Upper Klamath Lake; Reservations, restrictions, easements and rights of way of record and those apparent on the land.

The true and actual consideration for this transfer is \$20,000.00.

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees Forever.

The said Grantors do hereby covenant to and with the said Grantees, their heirs and grantees, that they are the owners in fee simple of said premises and that they will warrant and defend the same from all lawful claims except as above set forth.

IN WITNESS WHEREOF, the Grantors have set their hands the day and year first herein written.

Dorothy C. Kerns
Dorothy C. Kerns

James W. Kerns
James W. Kerns

STATE OF OREGON

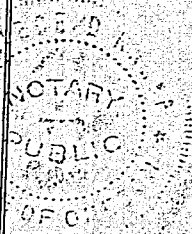
County of Klamath

January 9, 1980.

Personally appeared the above-named James W. Kerns and Dorothy C. Kerns, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

(SEAL)

Bernice D. Krapp
Notary Public for Oregon
My Commission expires: 3-13-80



Send tax statements to: Mr. and Mrs. James W. Kerns
449 Laguna Street
Klamath Falls, OR 97601

Dr. and Mrs. James Randol
Rt. 5 Box 1413
Klamath Falls, OR 97601

Dr. and Mrs. Gerald E. Johnson
2600 Campus Drive
Klamath Falls, OR 97601

After Recording Return to: Wm. M. Ganong
Attorney at Law P.O. Box 57
Klamath Falls, Oregon 97601

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Wm. M. Ganong, Atty.
this 15th day of January A. D. 1980 at 1:34 o'clock P. M., and
fully recorded in Vol. M80, of Deeds on Page 836

Fee \$7.00

Wm D. MILNE, County Clerk
By Bernice D. Krapp