

91933

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Harry D. McKenty and Beatrice A. McKenty, husband and wife, hereinafter called the Grantor, for the consideration hereinafter stated to the Grantor paid by Roger L. Taylor and Gerd S. Taylor, husband and wife, as to an undivided one-half interest, and Lawrence B. Miller and Rosemary Miller, as to an undivided one-half interest, 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:

Lot 160 of THIRD ADDITION TO SPORTSMAN PARK, according to the Official plat thereof on file in the office of the County Clerk, Klamath County, Oregon.

SUBJECT TO:

- 1) Agreement between Herbert Fleishhacker and May Belle Fleishhacker, husband and wife, and the California Oregon Power Company, a corporation, dated January 25, 1924, recorded February 15, 1924, in Deed Volume 63, Page 460, records of Klamath County, Oregon, relative to the raising and/or lowering of the water of Upper Klamath Lake between the elevations of 4137 and 4143.3 feet above sea level.
- 2) Agreement between the Klamath Development Co., a corporation, and Herbert Fleishhacker, dated January 1917, recorded August 15, 1917, in Miscellaneous Volume 3, Page 275, records of Klamath County, Oregon, granting "The perpetual right to maintain said pipe line extending from that certain reservoir or water tank situate in the SE 1/4 NW 1/4 of Section 3, Township 36 South, Range 6 E., W.M., approximately 200 feet from the head of Pelican Creek and leading across the NE 1/4 of Section 3 aforesaid and Lot 4 of Section 2, said Township and Range to the lands of said Second party situate in said Lot 4 of Section 2."
- 3) Easement, including the terms and provisions thereof, as reserved in deed from Gus G. Johnson and Olive M. Johnson, husband and wife, to Robert Sloan and Peggy M. Sloan, dated February 16, 1948, recorded September 1, 1953, in Deed Volume 262, page 581, records of Klamath County, Oregon as follows: "...also the right to build necessary dike, drainage, and irrigation ditches and locate a pumping plant on the NE 1/4 SW 1/4 of Section 3, Township 36 South, Range 6 E., W.M."
- 4) Grant of Right of Way, including the terms and provisions thereof, given by Olive M. Johnson, a widow, to the California Oregon Power Company, a California corporation, dated November 3, 1955, recorded November 8, 1955, in Deed Volume 279, Page 99, records of Klamath County, Oregon.
- 5) Reservations and restrictions contained in the dedication of Third addition to Sportsman Park: "...subject to a 10 foot building set back line on the front of all lots and an 3 foot easement along the back of all lots for future sanitary sewers and public utilities, said easement to provide for ingress and egress for maintenance and construction of such utilities, no structure being permitted and any plantings placed upon said easement shall be placed at the risk of the owner."

6) Reservations and restrictions contained in deed dated February 28, 1961, recorded October 23, 1968, in Volume M68, Page 9459 records of Klamath County, Oregon.

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 and that Grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$8,000.00.

In construing this deed and where the context so requires, the singular includes the plural, the masculine includes the feminine and the neuter and, generally, all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to corporations and to individuals.

WITNESS GRANTOR'S hand this 26 day of November, 1974.

Harry D. McKenty
Harry D. McKenty

Beatrice A. McKenty
Beatrice A. McKenty

STATE OF OREGON, County of Josephine)ss. November 26, 1974

BEFORE ME PERSONALLY appeared the above named Harry D. McKenty and Beatrice A. McKenty and acknowledged the foregoing instrument to be their voluntary act and deed.

(SEAL)

James A. Galt
Notary Public for Oregon

My Commission expires: 6/16/75

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of _____

this 17 day of March, A. D. 1975 at 10:20 o'clock A. M., or

July recorded in Vol. _____ of _____ Books _____ on Page _____

W. D. MILNE, County Clerk

By Beatrice A. McKenty