

1-1-74

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That

WINEMA PENINSULA INC., an Oregon Corporation

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JOHN R. WELLS and MARIE E. WELLS, 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 4 in Block 9, TRACT NO. 1019, WINEMA PENINSULA -UNIT NO. 2, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT, HOWEVER, to the attached Exhibit "A" made a part hereof.

(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

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 \$6,580.00

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the 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 12th day of May, 1980; 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.

WINEMA PENINSULA, INC.

Leroy Gienger, Pres.Elvina P. Gienger, Sec.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of _____

) ss.

STATE OF OREGON, County of Klamath) ss.5.58, 1980Personally appeared Leroy Gienger and Elvina P. Gienger

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 Winema Peninsula 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:

Bonnie M. Ruchter

(OFFICIAL SEAL)

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11.5.82

My commission expires:

Winema Peninsula Inc.

PO Box 384

Chiloquin, OR 97624

GRANTOR'S NAME AND ADDRESS

John R. Wells and Marie E. Wells

PO Box 443

Chiloquin, OR 97624

GRANTEE'S NAME AND ADDRESS

After recording return to:

John R. Wells and Marie E. Wells

NAME, ADDRESS, ZIP

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

John R. Wells and Marie E. Wells

NAME, ADDRESS, ZIP

STATE OF OREGON,

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/reel/volume No. _____ on page _____ or as document/fee/file/instrument/microfilm No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____ Deputy

ck
700

EXHIBIT "A"

9967

1. Reservations, restrictions and easements as contained in Deed of Tribal Property, dated February 25, 1959 and recorded February 27, 1959 in Volume 310, page 175, Deed Records of Klamath County, Oregon to wit:

"The above described land is subject to a right of way to Klamath Telephone and Telegraph Company for telephone and telegraph line, approved by John H. Edwards, Assistant Secretary of the Interior on May 10, 1927, subject to the provisions of the Act of March 3, 1901 (31 Stat. 1058-1083); Departmental regulations thereunder; and subject also to any prior, valid existing right of adverse claim. Title to the above described property is conveyed subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record."

2. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, as contained in plat dedication, to wit:

"1. A 25 ft. building setback line along the front of all lots, as shown on the annexed plat; a 20 ft. building setback line along all side and back lot lines.

2. No access to the State Highways on Lots 1 through 8 of Block 5 except at an established access which exists on Lot 1, Block 5; no access to the State Highway on Lots 1 through 5 of Block 6; no access to the State Highways on Lots 2 through 7 and 10 of Block 4; limited access to the State Highway on Lots 11 through 14 of Block 4 and Lot 1, Block 4 as shown on the annexed plat.

3. A non-exclusive easement for the purpose of egress and ingress into the property immediately North of this plat across Lot 1 of Block 5 as shown on the annexed plat.

4. A 16 ft. wide public utilities easement centered on all back and side lot lines for the construction and maintenance of public utilities, any construction thereon to be at the owners risk.

5. All wells and septic tanks to be subject to approval of the County Health Dept.

6. A 60 ft. wide right of way to be reserved centered on the Lot line common to Lots 8 and 9 of Block 9 for the purpose of future roadway as shown on the annexed plat.

7. All easements and reservations of record.

3. Subject to a 25 foot building setback from lot line as shown on dedicated plat.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 3rd day of June A.D., 19 80 at 10:05 o'clock A M., and duly recorded in Vol. M80 of Deeds on Page 9962.

FEE \$7.00

WM. D. MILNE, County Clerk

By Berntha Spetch Deputy