

92760

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That J.P. BAGGELAAR and MARILYN L. BAGGELAAR, Husband and Wife, hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by CLIFTON JONES and CHARLENE MARIE OWENS, hereinafter called 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 14 in Block 218 of MILLS SECOND ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever; provided, however, that this conveyance is made upon the express condition that the Grantee or his heirs, successors or any subsequent purchaser shall not use the said property for the sale of Mexican food during the five (5) years immediately following the execution of this deed or during the time that Grantor or his heirs, successors or assigns holds any security interest in the said property, whichever period is longer, but in no event longer than ten (10) years from the date of execution of this deed. If the property is so used during said period, the Grantor, or his heirs, successors or assigns, may re-enter the said property and upon such re-entry all right of Grantee, his heirs, successors or assigns or any subsequent purchaser shall thereupon terminate.

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 the following:

1. Taxes for the fiscal year 1980-1981, due and payable.
2. Sewer and water use charges, if any, due to the City of Klamath Falls, Oregon.
3. Right of Way Easement, including the terms and provisions thereof dated July 30, 1974 and recorded July 31, 1974 in Volume M74, page 9372, Microfilm records of Klamath County, Oregon in favor of California-Pacific Utilities Company for gas mains and appurtenances.
4. Any reservations, restrictions or easements or those apparent on the land;

and that Grantor will warrant and forever defend the said premises and every 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 NINETY THOUSAND AND NO/100 (\$90,000.00) DOLLARS.

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.

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IN WITNESS WHEREOF, the Grantor has executed this instrument this 19th day of November, 1980.

J. P. Bagelaar
JACK P. BAGGELAAR

Marilyn L. Bagelaar
MARILYN L. BAGGELAAR

STATE OF OREGON)
COUNTY OF KLAMATH) SS

November 19, 1980

Personally appeared the above named J. P. BAGGELAAR, and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME:

Kristi L. Garrison
NOTARY PUBLIC FOR OREGON

My Commission Expires: 6/19/83

GRANTOR NAME & ADDRESS
Jack & Marilyn Bagelaar
3616 Rio Vista
Klamath Falls, Oregon 97601

GRANTEE NAME & ADDRESS
Clifton Jones and
Charlene Marie Owens
2020 Ward
Klamath Falls, Oregon 97601

AFTER RECORDING RETURN TO: Grantees

FORM No. 150—ACKNOWLEDGMENT BY ATTORNEY-IN-FACT.

STATE OF OREGON,

County of Klamath

ss.

On this the 19th day of November, 19 80 personally appeared
J. P. BAGGELAAR

who, being duly sworn (or affirmed), did say that he is the attorney in fact for MARILYN L. BAGGELAAR and that he executed the foregoing instrument by authority of and in behalf of said principal; and he acknowledged said instrument to be the act and deed of said principal.

(Official Seal)

Before me:

Kristi L. Garrison

(Signature)
MY COMMISSION EXPIRES: 6/19/83
Escrow Officer

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 20th day of November A.D., 19 80 at 8:58 o'clock A M., and duly recorded in

Vol M80 of Deeds on page 22545.

Fee \$ 7.00

WM. D. MILNE, County Clerk
by Donna L. Lock, Deputy