

# MOUNTAIN TITLE COMPANY

92947

WARRANTY DEED

Page 22818

KNOW ALL MEN BY THESE PRESENTS, That David G. Montgomery and Thelma J. Montgomery Husabnd and Wife as individuals and as Trustees for the David and Thelma Montgomery Trust Dated October 14, 1978 hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Sandy P. Petersen and Marion C. Petersen, Husband and Wife 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 95, MERRYMAN'S REPLAT OF VACATED PORTION OF OLD ORCHARD MANOR, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

(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 except as stated on the reverse of this deed, or 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 \$ 47,900.00. ~~However, the actual consideration consists of or includes other property of value given or promised which is the whole 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 24th day of November, 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.

(If executed by a corporation, affix corporate seal)

David G. Montgomery  
David G. Montgomery

Thelma J. Montgomery  
Thelma J. Montgomery

STATE OF OREGON, )  
County of Klamath ) ss.  
11/24, 1980

STATE OF OREGON, County of ) ss.  
11/24, 1980

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 \_\_\_\_\_

Personally appeared the above named David G. Montgomery and Thelma J. Montgomery 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: Kristi L. Garrison  
(OFFICIAL SEAL)  
Notary Public for Oregon  
My commission expires: 6/19/80

Notary Public for Oregon  
My commission expires:

David G. Montgomery and Thelma J. Montgomery  
1029 Merryman Dr  
Klamath Falls, OR 97601  
GRANTOR'S NAME AND ADDRESS  
Sandy P. Petersen and Marion C. Petersen  
1029 Merryman  
Klamath Falls, Oregon 97601  
GRANTEE'S NAME AND ADDRESS

After recording return to:

as above

NAME, ADDRESS, ZIP

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

as above

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.

SPACE RESERVED FOR RECORDER'S USE

By \_\_\_\_\_ Recording Officer  
Deputy

SUBJECT TO:

22819

1. Sewer and water use charges, if any, due to the City of Klamath Falls.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
3. Conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, as adopted by plat dedication, including the terms and provisions thereof, recorded February 20, 1951 in Volume 245, page 361, Deed Records of Klamath County, Oregon.
4. Building restrictions as contained in plat dedication, to wit:  
"(1) Lots are for residential purposes only and are limited to one residence per lot. (2) Easements for installation and maintenance of utilities and drainage are reserved in 7.0 feet strips of land along the rear of all lots."
5. Building setback line 20 feet from streets, as shown on dedicated plat.
6. An easement created by instrument, including the terms and provisions thereof, recorded January 24, 1951 in Volume 244, page 613, Deed Records of Klamath County, Oregon, in favor of California Oregon Power Company for transmission and distribution of electricity. (Blanket easement)
7. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.  
Dated: December 5, 1977  
Recorded: December 5, 1977  
Volume: M77, page 23564, Microfilm Records of Klamath County, Oregon  
Amount: \$32,205.00  
Mortgagor: David G. Montgomery and Thelma J. Montgomery, husband and wife  
Mortgagee: State of Oregon, represented and acting by the Director of Veterans Affairs (M78032)  
Said mortgage buyer assumes and agrees to pay.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at \_\_\_\_\_

this 24th day of November A. D. 1980 at 3:35 o'clock P. M., and

fully recorded in Vol. M 80, of DEEDS on Page 22818

Wm D. MILNE, County Clerk

FEE \$ 7.00

By Jacqueline J. Mettler