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SPECIAL WARRANTY DEED

Vol. m8/ Page 14266



KNOW ALL MEN BY THESE PRESENTS, That LONELL W. HEFNER and LILYAN A. HEFNER, Husband and Wife, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto JACKSON W. BENNETT and MELISSA J. BENNETT, Husband and Wife hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

"Lot 3, Block 2, Sunset Village, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon."

SUBJECT TO Contracts and/or liens for irrigation and/or drainage, reservations, easements, restrictions and rights of way of record and those apparent on the land; including:

- 1) Acreage and use limitations under provisions of the United States Statutes and regulations issued thereunder; and
  - 2) Liens and assessments of Klamath Project and Enterprise Irrigation District, and regulations, easements, water and irrigation rights in connection therewith; and
  - 3) Any unpaid charges or assessments of Enterprise Irrigation District; and
- (continued on "Exhibit A")

(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 the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 46,500.00. ~~However, the actual consideration consists of or includes other property or value given or promised which is consideration (indicate which) (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.020.)~~

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 11 day of August, 1981; 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)

*Lonell W. Hefner*  
*Lilyan Hefner*

STATE OF OREGON,  
County of Klamath, ss.  
August 11, 1981

STATE OF OREGON, County of \_\_\_\_\_ ss.  
\_\_\_\_\_, 19\_\_\_\_.

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 \_\_\_\_\_

\_\_\_\_\_ 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:

(OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires: \_\_\_\_\_

Personally appeared the above named  
Lonell W. and Lilyan A. Hefner,  
husband and wife  
and acknowledged the foregoing instrument to be their voluntary act and deed.

*[Signature]*  
Notary Public for Oregon  
My commission expires 8-5-83

Loneill W. & LiLyna A. Hefner

GRANTOR'S NAME AND ADDRESS  
Jackson W. & Melissa J. Bennett

GRANTEE'S NAME AND ADDRESS

After recording return to:  
Grantee  
3916 Arroyo Ct  
K. Falls  
NAME, ADDRESS, ZIP

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

Same

NAME, ADDRESS, ZIP

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON,  
County of \_\_\_\_\_ ss.

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.

Recording Officer  
Deputy

By \_\_\_\_\_

## "EXHIBIT A"

- 4) Rules, regulations and assessments of South Suburban Sanitary District; and
- 5) Rules, regulations and assessments of Sunset Village Lighting District; and
- 6) Reservations and restrictions contained in the dedication of Sunset Village as follows: "... said plat being subject to: (1) easements for future public utilities, irrigation and drainage ditches as shown on the annexed plat; (2) easements to provide ingress and egress for construction and maintenance of said utilities, irrigation and drainage ditches; (3) no changes will be made in the present irrigation and/or drain ditches without the consent of the Enterprise Irrigation District, its successors or assigns; (4) building set-back lines as shown on the annexed plat; (5) all easements and reservations of record and additional restrictions as provided in any recorded protective covenants."

The above dedication was amended by Release of Easement recorded January 10, 1968, in Volume M68, page 205, Microfilm Records of Klamath County, Oregon, as follows: "The Easterly five feet of that 20 foot drain easement centered on the lot line between lots 1 and 2, Block 1, Sunset Village, was vacated."

- 7) Declaration of Conditions and Restrictions for Sunset Village recorded May 29, 1967, in Volume M67, page 4004, Microfilm Records of Klamath County, Oregon, as modified and amended by instrument recorded January 10, 1968, in Volume M68, page 210, Microfilm Records of Klamath County, Oregon.
- 8) Trust Deed, including the terms and provisions thereof, executed by Lonell W. Hefner and Lilyan A. Hefner, husband and wife, as grantors, to Mountain Title Company, as trustee, for First National Bank of Oregon, as beneficiary, dated June 2, 1977, recorded June 3, 1977, in Volume M77, page 9660, Microfilm Records of Klamath County, Oregon, to secure the payment of \$31,500.00, which Grantees agree to assume and to pay, and to hold Grantors harmless thereon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Title Co.

this 11th day of August A.D. 19 81 at 3:33 o'clock P.M., and  
duly recorded in Vol. M81, of Deeds on Page 14266

By EVELYN BIEHN, County Clerk  
[Signature]

Fee \$7.00