

4564

MTC-10592

WARRANTY DEED

Vol. 118 Page 16715

KNOW ALL MEN BY THESE PRESENTS, That

Dale Z. Kirby and Ann M. Kirby, Husband and Wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Edward L. Kollmar and Phyllis Kollmar, Husband and Wife, 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 19, MOYINA, 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 \$ 56,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) (The sentence between the symbols @ is 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 16 day of September, 19 81; 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)

Dale Z. Kirby

Ann M. Kirby

STATE OF OREGON,)
County of Marion) ss.
September 16, 19 81.

Personally appeared the above named
Dale Z. Kirby and
Ann M. Kirby
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires: 10-8-82

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:

Dale Z. Kirby and Ann M. Kirby
1400 Carlson Drive
Klamath Falls, Oregon 97601
GRANTOR'S NAME AND ADDRESS
Edward L. Kollmar and Phyllis Kollmar
1400 Carlson Drive
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

Per Grantee

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:

16716

1. Taxes for the fiscal year 1981-1982, a lien, not yet due and payable.
2. Assessments, if any, due to the City of Klamath Falls for water use.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
4. A 30 foot building setback from all street sides as shown on dedicated plat.
5. Easements, conditions and restrictions as contained in plat dedication, to wit:
"We do hereby grant public easements for sewer lines and other public utilities along the rear ten feet of all lots and across edges of lots near lot lines where necessary for public health and welfare, and that we do hereby declare this plat to be subject to the following conditions:
(1) The use of land platted herein is for residential purposes only and is limited to one residential building per lot; (2) Architectural standards shall be no less than the minimum requirements, defined by the National Housing Authority Specifications for one living unit; (3) Minimum foundation areas of residences, not including garage or storage space, shall be as follows: One story residence, 1200 square feet; one and one-half or two story residences, 800 square feet. Total height of a building is limited to 18 feet above the top of the foundation; (4) Residences shall not be built closer than thirty feet to the street lines nor closer than five feet to side lines of the lots; (5) Septic tanks shall conform to the specifications for such provided by the State Board of Health; (6) Pets or livestock, other than strictly house pets, shall not be kept or housed on the property; (7) No fences or barricades are ever to be erected on lots between the building setback line and the street."

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of _____

this 18th day of Sept. A.D. 19 81 at 2:26 o'clock P.M. and

duly recorded in Vol. M-81, of Deeds on page 16715

Fee \$8.00

EVLLYN BIEHN, County Clerk
By *[Signature]* Deputy