

27445

MTC 1272

WARRANTY DEED

ROLLIN V. TUTER and BERDENE F. TUTER,

KNOW ALL MEN BY THESE PRESENTS, That husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by WALTER STEINER and MARLEN STEINER, 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:

PARCEL 1: Lot 1, Block 1, TRACT NO. 1033, KENO HILLSIDE ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2: A parcel of land situated in Section 31, Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the most Westerly corner of Lot 1, Block 1, KENO HILLSIDE ACRES a duly recorded subdivision in said Klamath County; thence North 51°30'40" East along the North-west line of said Lot 1, 294.32 feet to the most Northerly corner thereof; thence North 74°38'55" West 321.00 feet; thence South 52°32'46" West, 130.00 feet to the Northeasterly right of way line of Oregon Highway No. 66; thence South 38°33'58" East along said right of way line, 260 feet more or less to the point of beginning.

MOUNTAIN TITLE COMPANY INC.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns, that 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 side of this deed and those apparent upon the land, if any, as of the date of this deed

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 \$ 122,500.00

In construing this deed and where the context so requires, the plural 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 25th day of August, 1983; 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.

Rollin V. Tuter, Berdene F. Tuter

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Klamath, August 25, 1983

STATE OF OREGON, County of ... Personally appeared ... 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 ROLLIN V. TUTER and BERDENE F. TUTER, husband and wife

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Kristin L. Garrison, Notary Public for Oregon, My commission expires: 6/19/87

Before me: Notary Public for Oregon, My commission expires:

(OFFICIAL SEAL)

Mr. & Mrs. Rollin V. Tuter, 5231 Bryant Falls, OR 97603

Mr. & Mrs. Walter Steiner, 10905 Keno Court, Klamath Falls, OR 97601

After recording return to: SAME AS GRANTEE

Until a change is requested all tax statements shall be sent to the following address: SAME AS GRANTEE

STATE OF OREGON, 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 tile/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

MOUNTAIN TITLE COMPANY INC

MOUNTAIN TITLE COMPANY INC

- continued from the reverse side of this deed -

SUBJECT TO:

1. Taxes for the fiscal year 1983-1984, a lien, not yet due and payable.
2. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads, or highways.
3. Right of Way to California Oregon Power Company, recorded June 28, 1926, in Volume 72, page 48, Deed Records of Klamath County, Oregon.
4. Right of Way to Pacific Power and Light Company, a Maine corporation, recorded January 21, 1966, in Volume M66, page 604, Microfilm Records of Klamath County, Oregon. (Blanket easement over the SE 1/4)
5. Conditions as contained in Deed recorded June 21, 1973, in Volume M73, page 7803, Microfilm Records of Klamath County, Oregon, from Piney Woods Land and Development Company, an Oregon corporation, to Sam B. Davis, to wit:

"Covenant running with the land in recognition of the fact that certain of the surrounding property adjacent to these parcels of property which are the subject matter hereof, are generally used for agriculture purposes. Grantee, his heirs, successors, and assigns shall not interfere with the reasonable use of said surrounding property for agricultural purposes."
6. Subject to a 25 foot building setback from all street sides as shown on dedicated plat.
7. Subject to an 8 foot utility easement along rear of lot as shown on dedicated plat.
8. Subject to covenants, conditions, and restrictions as shown on dedicated plat.
9. Reservations as contained in Deed recorded January 17, 1977, in Volume M77, page 803 and page 800, Microfilm Records of Klamath County, Oregon, Piney Woods Land and Development Company, an Oregon corporation, to Jane Durbin Pinelli, to wit:

"(1) A 25 foot building setback from all street sides. (2) Subject to covenants, conditions, and restrictions as shown on dedicated plat of Keno Hillside Acres."

"Subject to: The stipulation that vehicular access to State Highway No. 66 shall be restricted to a strip of highway frontage being the most Southeasterly 10.00 feet of that portion of the above described property described as abutting said Highway No. 66 right of way."

STATE OF OREGON,)
 County of Klamath)
 Filed for record at request of

on this 24th day of August A.D. 19 83
 at 3:15 o'clock P M, and duly
 recorded in Vol. M83 of Deeds
 Page 14379

EVELYN BIEHN, County Clerk

By [Signature] Deputy

Fee \$ 8.00