

27445

MTL 1272

WARRANTY DEED

Vol. 143 Page 14379

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 ap-  
pertaining, 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. (continued on the reverse)

**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

However, the actual consideration consists of the property of the grantor, which is described in the deed, and which is  
the whole consideration, and which is the consideration for the transfer. 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 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.

(If executed by a corporation,  
affix corporate seal)

STATE OF OREGON, County of Klamath  
August 25, 1983

Personally appeared the above named  
ROLLIN V. TUTER and BERDENE F. TUTER,  
husband and wife

and acknowledged the foregoing instru-  
ment to be their voluntary act and deed.

Before me:  
(OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires: 6/19/87

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

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 \_\_\_\_\_

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 be-  
half 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:  
Notary Public for Oregon  
My commission expires:

(OFFICIAL SEAL)

Mr. & Mrs. Rollin V. Tuter

5231 Bryant  
Falls, OR 97603  
GRANTOR'S NAME AND ADDRESS

Mr. & Mrs. Walter Steiner

10905 Keno Court  
Klamath Falls, OR 97601  
GRANTEE'S NAME AND ADDRESS

After recording return to:  
SAME AS GRANTEE

NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

STATE OF OREGON, ss.

County of \_\_\_\_\_  
I certify that the within instru-  
ment 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

- 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