

29341

WARRANTY DEED
MTC-12448-K

Vol. M83 Page 17550

JOSEPH LEMICH, JR.

KNOW ALL MEN BY THESE PRESENTS, That

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DANIEL L. CULP and MARYLIN L. CULP, 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 5 in Block 12 of TRACT NO. 1026, THE MEADOWS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

- continued on the reverse side of this deed -

MOUNTAIN TITLE COMPANY INC.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

(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 side of this deed and 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 \$ 53,900.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the 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 12th day of October, 1983; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by one of its board of directors.

JOSEPH LEMICH, JR.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of Klamath, ss. October 12, 1983

Personally appeared the above named JOSEPH LEMICH, JR.

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

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

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 _____

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:

Joseph Lemich, Jr.
930 Owens
Klamath Falls, OR 97601
GRANTOR'S NAME AND ADDRESS
Daniel L. Culp & Marylin L. Culp
4705 Villa Dr.
Klamath Falls, OR 97603
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, 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.

By _____ Recording Officer
Deputy

SUBJECT TO:

1. Taxes for the fiscal year 1983-1984, a lien, not yet due and payable.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
4. Assessments, if any, due to the City of Klamath Falls for water use.
5. An easement created by instrument, including the terms and provisions thereof,
Dated: April 16, 1931
Recorded: May 2, 1931
Volume: 95, page 177, Deed Records of Klamath County, Oregon
In favor of: California Oregon Power Company
For: Transmission and distribution of electricity
6. Reservations and restrictions as contained in plat dedication, to wit:
"Said plat being subject to: A 25 foot building setback line along the front of all lots and a 20 foot building setback line along side street lines; Easements as shown on the annexed map for construction and maintenance of public utilities, irrigation, and drain ditches, said easements to provide ingress and egress with any planting or structures placed thereon by the lot owner to be at his own risk; No changes will be made in the present irrigation and/or drain ditches without the consent of the Klamath Irrigation District, its successors or assigns; Additional restrictions as provided in any recorded protective covenants. This plat is approved subject to the following conditions:
1. The owner of the land in this subdivision, their heirs, and assigns in whom title may be vested shall always at their own expense properly install, maintain, and operate such irrigation system. 2. The Klamath Irrigation District, its successors, and assigns, and the United States, person, firm, or corporation operating the irrigation works of said District, shall never be liable for damage caused by improper construction, operation, or care of such system, overflow, or seepage, or for lack of sufficient water for irrigation. 3. The liability of the operators of said District shall be limited to delivery of water at established outlets of the U.S.B.R. canal. 4. The lands will always be subject to irrigation assessments whether or not irrigation water is furnished."
7. Covenants, conditions, and restrictions, but omitting restrictions, if any, based on race, color, religion, or national origin, imposed by instrument, including the terms and provisions thereof, recorded November 29, 1971, in Volume M71, page 12500, Microfilm Records of Klamath County, Oregon.
8. Subject to a 25 foot building setback from Villa Drive as shown on dedicated plat.
9. Subject to a 16 foot easement along North lot line and a 5 foot easement along East lot line as shown on dedicated plat.
10. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.
Dated: October 24, 1978
Recorded: October 28, 1978
Volume: M78, page 24176, Microfilm Records of Klamath County, Oregon
Amount: \$45,900.00
Grantor: Daniel L. Jensen and Nina M. Jensen, husband and wife
Trustee: Transamerica Title Insurance Company
Beneficiary: Peoples Mortgage Company, a Washington corporation
The Grantee named herein has agreed to assume and pay the above described Trust Deed.
The beneficial interest under said Trust Deed was assigned by instrument,
Dated: April 10, 1979
Recorded: May 7, 1979
Volume: M79, page 10361, Microfilm Records of Klamath County, Oregon
To: Federal National Mortgage Association
11. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Meadows Improvement District.

17552

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

on this 13th day of Oct. A.D. 19 83
at 9:03 o'clock A M, and duly
recorded in Vol. M 83 of Deeds
Page 17550

EVELYN BIEHN, County Clerk

By *Tom Smith* Deputy

Fee 12.00