

30035

WARRANTY DEED

Vol. M83

Page

18714

KNOW ALL MEN BY THESE PRESENTS, That

THELMA DUGGAN

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

JAMES G. THOMPSON and JOAN S. CHILDERS, not as tenants in common, but, hereinafter called the grantee, does hereby grant, bargain, sell and convey with the right of survivorship, 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 37 of ELMWOOD PARK, 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.

(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 \$ 32,000.00

HOWEVER, THE EXACT AMOUNT OF CONSIDERATION PAID FOR THIS TRANSFER, IN TERMS OF DOLLARS, IS \$ 32,000.00, WHICH IS THE WHOLE OF THE CONSIDERATION PAID FOR THIS 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 25 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 order of its board of directors.

(If executed by a corporation, affix corporate seal)

*Richard G. Duggan as Attorney-in-Fact for Thelma Duggan*  
RICHARD G. DUGGAN as Attorney-in-Fact for  
Thelma Duggan

STATE OF OREGON, )  
County of Klamath ) ss.  
October 25, 1983

Personally appeared the above named  
RICHARD G. DUGGAN as attorney-in-fact  
for Thelma Duggan  
and acknowledged the foregoing instru-  
ment to be her voluntary act and deed.

Before me:  
*Aristix Garrison*  
(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 6/19/87

STATE OF OREGON, County of ) ss.  
October 25, 1983

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 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: (OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

Thelma Duggan  
5135 Mazama Dr.  
Klamath Falls, OR 97603  
GRANTOR'S NAME AND ADDRESS

James G. Thompson and Joan S. Childers  
5035 Summers Lane  
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 instru-  
ment 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

- continued from the reverse side of this deed -

SUBJECT TO:

1. Taxes for the fiscal year 1983-1984, a lien due and payable.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
4. Reservations contained in plat dedication, to wit:  
"Hereby dedicate, donate, and convey to the Public, for public use forever the roads and streets and right of way for irrigation laterals, indicated thus, shown in ELMWOOD PARK as platted hereon. The right of way for USRS Lateral "F" and Drain 1-C-7 as shown hereon are excepted from this dedication."
5. Conditions and restrictions as contained in Deed dated June 1, 1939, recorded October 4, 1939, in Volume 124, page 583, Deed Records of Klamath County, Oregon, as follows:  
"Subject to the right of the grantor, their heirs and assigns to construct and maintain on and across the said premises, irrigation, and drainage ditches and the right to enter upon said premises for the purpose of constructing and maintaining such ditches. This conveyance, however, is made with the further consideration for the grantees, heirs, and assigns will not construct or erect any residence on the said premises the first cost of which shall not be less than \$1,000.00; and any violation of such covenant shall work a forfeiture of the estate of the grantee, his heirs, or assigns in and to the said premises and shall vest in the grantors their heirs, or assigns, the right to re-enter the said premises and their former estate therein."
6. 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: March 13, 1978

Recorded: March 17, 1978

Volume: M78, page 5179, Microfilm Records of Klamath County, Oregon

Amount: \$13,000.00

Grantor: Thelma I. Duggan

Trustee: Transamerica Title Insurance Company

Beneficiary: Equitable Savings and Loan Association, an Oregon corporation

Substitution of Trustee, wherein Harry M. Hanna was appointed substitute trustee, dated October 1, 1982, and recorded October 14, 1982, in Volume M82, page 13747, Microfilm Records of Klamath County, Oregon.

Blanket Conveyance Assignment and Transfer, dated September 30, 1982, recorded October 14, 1982, in Volume M82, page 13748, Microfilm Records of Klamath County, Oregon.

Blanket Conveyance Assignment and Transfer, dated September 30, 1982, recorded October 14, 1982, in Volume M82, page 13749, Microfilm Records of Klamath County, Oregon.

Amended Substitution of Trustee wherein Victor W. VanKoten, James Ray Streinz and Michael A. Holstun were appointed Successor Trustees, dated February 7, 1983, in Volume M83, page 3284, Microfilm Records of Klamath County, Oregon.

The Grantees named herein do not agree to assume and pay the above described Trust Deed and the Beneficiary herein agrees to hold the Grantees harmless therefrom.

*"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."*

STATE OF OREGON: COUNTY OF KLAMATH: ss

I hereby certify that the within instrument was received and filed for record on the 31st day of October A.D., 19 83 at 10:25 o'clock A M, and duly recorded in Vol M83, of Deeds on page 18714.

EVELYN BIEHN, COUNTY CLERK

by [Signature] deputy

Fee \$8.00