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WARRANTY DEED

Vol. MS3 Page 18823

REBECCA TOLIVER

KNOW ALL MEN BY THESE PRESENTS, That

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

BRYAN VANDERPOL

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 20, Block 10, ELDORADO ADDITION to the City of Klamath Falls, 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 \$48,000.00

HOWEVER, THE ACTUAL CONSIDERATION PAID FOR THIS TRANSFER, STATED IN TERMS OF DOLLARS, IS \$48,000.00 (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 1st day of November, 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)

REBECCA TOLIVER

Rebecca Toliver

STATE OF OREGON,

County of KlamathNovember 7, 1983

Personally appeared the above named

REBECCA TOLIVER

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 6/19/87STATE OF OREGON, County of ss.Personally appeared , 19

 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:

Ms. Rebecca Toliver

176 Peach St.

Klamath Falls, OR 97601

GRANTOR'S NAME AND ADDRESS

Mr. Bryan Vanderpol

116 Dahlia

K. 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,

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/rec number

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By 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. Sewer and water use charges, if any, due to the City of Klamath Falls.
3. Conditions and restrictions, including the terms and provisions thereof, as contained in Deed from State of Oregon, by and through its State Highway Commission, to Wilson Title & Abstract Co., Trustee, dated July 22, 1949, recorded June 9, 1950 in Volume 239, page 370, Deed Records of Klamath County, Oregon, as follows:

"The acceptance of this instrument by the grantee shall forever operate as a complete restriction of all rights of ingress and egress to and from all streets, lots, blocks, and alleys abutting on property to which title is held by grantor lying Southwesterly from the plat of Eldorado Addition between Eldorado Boulevard and Van Ness Avenue, as shown on said plat. This condition and restrictions shall run with the land and shall not be subject to modification, cancellation, or destruction by adverse user or estoppel, no matter how long continued."

4. Reservations and restrictions including the terms and provisions thereof, in the dedication of Eldorado, as follows:

"(1) The use of the lots designated in said area is restricted to one residence to each lot, such residence to contain not less than 720 square feet of foundation area, excluding garages or storage areas, to be so constructed and of an architectural standard not less than those minimums defined by the National Housing Agency, Federal Housing Administration, Portland, Oregon office, for properties of one or two living units located in the district covered by the Portland Insuring Office as set out in F.H.A. Form No. 2277, revised April of 1947; and retail business establishments not engaging in manufacturing and not using outside storage may occupy Blocks 2, 3, 4, and 7; and multiple dwellings constructed in accordance with the above mentioned minimums may occupy Lots 7 to 9 inclusive of Block 1; Lots 11 to 15 also inclusive, of Block 4; Lots 7 to 12 inclusive of Block 4, and Lots 1, 2, 3, 33, 34, and 35 of Block 8.

(2) No septic tanks or cess pools shall be constructed within the area and the undersigned dedicators reserve the right to construct and maintain sewers or other utilities over, in, and through the entire area, as may seem to said dedicators necessary or proper for public health, convenience, and safety.

(3) Each lot shall be subject to its proportionate share, on a foot frontage basis of all improvements desired by two thirds of the ownership, on a foot frontage basis of all lots directly affected by any such proposed improvement."

5. Easement, including the terms and provisions thereof, executed by Donald L. Sloan, et ux, to the California Oregon Power Company, a California corporation, dated November 28, 1950, recorded December 1, 1950, in Deed Volume 243, page 569 Records of Klamath County, Oregon.

6. Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.

Dated: August 31, 1978

Recorded: August 31, 1978

Volume: M78, page 19365, Microfilm Records of Klamath County, Oregon

Amount: \$31,696.00

Mortgagor: Ralph E. Toliver and Rebecca Toliver, husband and wife

Mortgagee: State of Oregon, represented and acting by the Director of Veterans' Affairs (L-M96361)

The Grantee named herein hereby agrees to assume and pay the above described Mortgage.

"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 1st day of November A.D., 19 at 1:49 o'clock P M, and duly recorded in Vol M83, of Deeds on page 18823.

EVELYN BIEHN, COUNTY CLERK

by Sam Smith deputy

Fee \$ 8.00