

30402

WARRANTY DEED

Vol. 1183 Page 19292

KNOW ALL MEN BY THESE PRESENTS, That DENNIS ALIEN HOLUB who acquired title as DENNIS ALAN HOLUB pursuant to Court Order dated August 24, 1983, and Court Order dated ** hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DAVID I. VAAGEN and KATHLEEN J. VAAGEN, 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:

PARCEL 1: Lots 39 and 40, LAKEWOOD HEIGHTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2: Lot 41 of LAKEWOOD HEIGHTS, 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.

**October 24, 1983, filed in the Circuit Court of the State of Oregon, County of Klamath, in the matter of the Marriage of Margaret Marie Holub and Dennis Alan Holub, Case No. 81-113-2.

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

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 \$ 106,000.00. However, the actual consideration for the transfer of the above described premises is the whole of the consideration for the transfer of the above described premises, which is (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 _____ day of October 21, 1983, as 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)

Dennis Allen Holub
DENNIS ALLEN HOLUB

STATE OF OREGON,

County of Klamath

October 21, 1983

Personally appeared the above named
DENNIS ALLEN HOLUB

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

Before me:

Notary Public for Oregon

My commission expires: 11-20-85

MARGARET MARIE HOLUB
STATE OF OREGON, County of _____

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.

Notary Public for Oregon
My commission expires:

(OFFICIAL
SEAL)

Dennis Allen Holub

11803 NE 159th

Bellevue, WA 98011

David I. Vaagen and Kathleen J. Vaagen

2681 Lakeshore Dr.

Klamath Falls, OR 97601

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 _____

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

- continued from the reverse side of this deed -

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 Lakewood Heights District Improvement Company.
3. Subject to reservations as contained in plat dedication, to wit:
"Subject to the easements and releases and rights of way conveyed to California Oregon Power Company by Leed recorded in Book 68, page 279 to 281, inclusive and to easements and releases and agreements mentioned in instruments recorded in Book 105, page 226 and 227, and to conveyance to Oregon State Highway Commission recorded in Book 108, page 148, all in Deed Records for Klamath County, Oregon; that they caused the same to be surveyed, subdivided and platted as shown on the adjoining map, hereinafter to be known as LAKEWOOD HEIGHTS: that they, for themselves, their heirs, and assigns, hereby dedicate to public use forever, the 60 foot wide right of way and roadway of Secondary Highway No. 421 lying 30 feet on each side of the Highway centerline shown on said adjoining map of said LAKEWOOD HEIGHTS."
4. Subject to easements, releases, and rights of way and agreements from Rosa N. McCornack, et al to California Oregon Power Company in Deed Volume 68 at page 281 and Deed Volume 105 at page 226 and 227. (NW 1/4 SE 1/4, SE 1/4 SE 1/4, Sec. 23, Twp. 38 S., R. 3 E. W. M.). Right of Way from R. W. Geary to California Oregon Power Company, dated October 1, 1925, recorded in Deed Volume 69, page 298. (Sec. 7, 8, 9, 15, 16, 22, and the SW 1/4 NW 1/4 Sec. 23, Twp. 38 S., R. 8 E. W. M.).
5. Conditions, restrictions, and setback lines as disclosed by agreement between Mary E. O'Loughlin, et vir, first parties, Rosa McCornack, widow, second party and F. H. McCornack, et ux, third parties, dated July 17, 1925, and recorded September 9, 1975, in Volume 118, page 451 and dated November 10, 1938, recorded November 10, 1938, in Volume 118, page 475, as modified by instruments recorded in Volume 119, page 410, and Volume 138, page 257, all Deed Records of Klamath County, Oregon.
6. An easement created by instrument, including the terms and provisions thereof,
Dated: June 30, 1970
Recorded: August 5, 1970
Volume: M70, page 6687, Microfilm Records of Klamath County, Oregon
In favor of: Robert B. Chilcote and Barbara J. Chilcote, husband and wife
For: Nonexclusive easement for road purposes
7. 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: June 8, 1979
Recorded: June 8, 1979
Volume: M79, page 13559, Microfilm Records of Klamath County, Oregon
Amount: \$43,500.00
Grantor: Dennis A. Holub and Margaret M. Holub, husband and wife
Trustee: William Sisemore
Beneficiary: Klamath First Federal Savings and Loan Association

The Grantees named herein hereby agree to assume and pay the above described Trust Deed.

"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)

Filed for record at request of

on this 01 day of Nov. A.D. 19 83

at 11:03 o'clock A M, and duly

recorded in Vol. M83 of Deeds

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EVELYN BIEHN, County Clerk

By Lam. Smith Deputy

Fee 8.00