

31204

MTC 13187-K

WARRANTY DEED

Vol. 1183 Page

20658

**KNOW ALL MEN BY THESE PRESENTS, That** MARVIN L. CANTRELL, JR. and FRANCES V. CANTRELL, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by LARRY D. BAKER and REBECCA TOLIVER, not as tenants in common, but with 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 7 in Block 8, 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.

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 \$ 69,000.00

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (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 2nd day of December, 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)

MARVIN L. CANTRELL, JR.

FRANCES V. CANTRELL

STATE OF OREGON, County of ) ss.

, 19

Personally appeared and

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 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: 11/16/89

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

Marvin L. & Frances Cantrell, Jr.

2180 Sloan  
K. Falls, OR 97601

GRANTOR'S NAME AND ADDRESS

Larry D. Baker and Rebecca Toliver

176 Peach St.  
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 A.S. 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 # 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



SUBJECT TO:

1. Sewer and water use charges, if any, due to the City of Klamath Falls.
2. Covenants, conditions, and restrictions as contained in plat dedication, to wit:  
"(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 750 sq. ft. of foundation area, excluding garages or storage areas, and 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, 1947, and retail business establishments not engaging in manufacturing and not using outside storage may occupy Blocks 2, 3, 6, and 7; and multiple dwellings constructed in accordance with the above mentioned minimums may occupy Lots 7 to 9 inclusive of Block 5 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 improvements.  
(4) All new installation of overhead utilities are limited to alleys and easements across the rear of lots except where it is necessary to cross lots and streets as provided under Section 2 above."
3. An easement created by instrument, including the terms and provisions thereof,  
Dated: November 26, 1950  
Recorded: December 1, 1950  
Volume: 243, page 569, Deed Records of Klamath County, Oregon  
In favor of: The California Oregon Power Company, a California corporation  
For: Pole or tower and wire lines  
Affects: Rear 5 feet
4. Grant of Right of Way, including the terms and provisions thereof, recorded October 25, 1956, in Volume 287, page 442, Records of Klamath County, Oregon, in favor of The California Oregon Power Company, a California corporation, for the transmission and distribution of electricity and communications.  
Affects: Southwesterly 8 feet of lot
5. An easement created by instrument, including the terms and provisions thereof, recorded April 24, 1978, in favor of Harry R. Waggoner and Norma E. Waggoner, husband and wife, for thermal easement.  
Affects: Rear 10 feet

STATE OF OREGON, )  
County of Klamath )

Filed for record at request of

on this 2nd day of Dec. A.D. 19 83  
at 3:25 o'clock P M, and duly  
recorded in Vol. M83 of Deeds

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EVELYN BIEHN, County Clerk

By [Signature] Deputy

Fee 8.00