

33878

WARRANTY DEED

Vol. 1884 Page 2991

KNOW ALL MEN BY THESE PRESENTS, That CYNTHIA C. WEBB

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by MONTY R. YANCEY and CARLA L. YANCEY, 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 63, MOYINA, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

## 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 set forth on the reverse of this deed or 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 \$ 35,400.00.

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 99.030.)

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 24th day of February, 1984; 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.

Kenneth E. Cunard for Cynthia C. Webb  
her attorney in fact  
Cynthia C. Webb

(If executed by a corporation,  
affix corporate seal)

STATE OF OREGON, )  
County of Klamath ) ss.  
February 24, 1984

Personally appeared the above named Kenneth E. Cunard, her attorney in fact, Cynthia C. Webb

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

Before me: *[Signature]*  
(OFFICIAL SEAL)  
Notary Public for Oregon  
My commission expires: 7/13/85

STATE OF OREGON, County of ) ss.  
1984

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 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: \_\_\_\_\_

Cynthia C. Webb

GRANTOR'S NAME AND ADDRESS

Monty R. Yancey and Carla L. Yancey  
1507 Carlson Drive  
Klamath Falls, Oregon 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:  
GRANTEE

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

GRANTEE

NAME, ADDRESS, ZIP

STATE OF OREGON, ) ss.

County of \_\_\_\_\_

I certify that the within instrument was received for record on the \_\_\_\_\_ day of \_\_\_\_\_, 1984,

SPACE RESERVED  
FOR  
RECORDER'S USE

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, due and payable.  
Amount: \$581.39, plus interest. Account No.: 141-3809-36CD-3500
2. Taxes for the fiscal year 1982-1983, delinquent.  
Amount: \$639.09, plus interest. Account No.: 141-3809-36CD-3500
3. Taxes for the fiscal year 1981-1982, delinquent.  
Amount: \$565.34, plus interest. Account No.: 141-3809-36CD-3500
4. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
5. Assessments, if any, due to the City of Klamath Falls for water use.
6. Grant of Right of Way, executed by Forrest L. Kelly and Gladys F. Kelly, husband and wife, to The California Oregon Power Company, a California corporation, recorded July 23, 1957 in Volume 293, page 230, Deed Records of Klamath County, Oregon.
7. Building setback line 30 feet from street as shown on dedicated plat.
8. Easements, conditions and restrictions as contained in plat dedication, to wit:  
"We do hereby grant public easements for sewer lines and other public utilities along the rear ten feet of all lots and across edges of lots near lot lines where necessary for public health and welfare, and that we do hereby declare this plat to be subject to the following conditions:  
(1) The use of land platted herein is for residential purposes only, and is limited to one residential building per lot; (2) Architectural standards shall be no less than the minimum requirements, defined by the National Housing Authority Specifications for one living unit; (3) Minimum foundation area of residence, not including garage or storage space, shall be as follows: One story residence, 1200 square feet; one and one-half or two story residences, 800 square feet. Total height of a building is limited to 18 feet above the top of the foundation; (4) Residences shall not be built closer than thirty feet to the street lines nor closer than five feet to side lines of the lots; (5) Septic tanks shall conform to the specifications for such provided by the State Board of Health; (6) Pets or livestock other than strictly house pets shall not be kept or housed on the property; (7) No fences or barricades are ever to be erected on lots between the building setback line and the street."
9. Easement, including the terms and provisions thereof, covering water mains running to well site described in Deed recorded in Volume 292, page 216, Deed Records of Klamath County, Oregon, as granted to various lot owners in Moyina.
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: March 2, 1977  
Recorded: March 8, 1977  
Volume: M77, page 3919, Microfilm Records of Klamath County, Oregon  
Amount: \$26,000.00  
Grantor: James L. Webb and Cynthia C. Webb, husband and wife  
Trustee: William Ganong, Jr.  
Beneficiary: First Federal Savings and Loan Association of Klamath Falls, Oregon  
  
The grantees as they appear on the reverse of this document agree to assume and to pay said Trust Deed in full.
11. 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 24th day of February A.D., 1984 at 3:36 o'clock P.M. and duly recorded in Vol M84, of Deeds on page 2991.

EVELYN BIEHN, COUNTY CLERK

Fee \$8.00

by Pam Smith Deputy