

35553

WARRANTY DEED—SURVIVORSHIP

Vol. 1384 Page 6168

KNOW ALL MEN BY THESE PRESENTS, That BRAD S. DONAHUE and JOYZELLE M. DONAHUE, husband and wife, for the consideration hereinafter stated to the grantor paid by JOHN ELLIS and ETHEL A. ELLIS, husband and wife, hereinafter called the grantor, hereinafter called grantees, hereby grants, bargains, sells and conveys unto the said grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of said grantees, all of the following described real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of Klamath, State of Oregon, to-wit:

Lot 96, MOYINA, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their assigns and the heirs of such survivor, forever; provided that the grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.

And the grantor above named hereby covenants to and with the above named grantees, their heirs and assigns, that grantor is lawfully seized in fee simple of said premises, that same are free from all encumbrances except as shown on the reverse of this deed, and those of record and 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 \$ 38,000.00.
~~However, the actual consideration consists of or includes other property or value given or promised which is the whole or part of the consideration (indicate which).~~ (The sentence between the symbols @, if not applicable, should be deleted. See OES 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 13 day of April, 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.

(If executed by a corporation, affix corporate seal)

Brad S. Donahue

Joyzelle M. Donahue
STATE OF OREGON, County of _____, 19____ ss.

STATE OF OREGON,

County of Klamath } ss.
4-13, 1984

Personally appeared the above named

Brad S. Donahue and Joyzelle M. Donahue

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

(OFFICIAL SEAL)

Before me:

Notary Public for Oregon

My commission expires 6-16-84

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:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

BRAD S. DONAHUE & JOYZELLE M. DONAHUE

GRANTOR'S NAME AND ADDRESS

JOHN ELLIS and ETHEL A. ELLIS

GRANTEE'S NAME AND ADDRESS

After recording return to:

GRANTEE 9/1 MTC

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/reel/volume No. _____ on page _____ of as document/fee/file/instrument/microfilm No. _____, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____

Deputy

SPACE RESERVED
FOR
RECORDER'S USE

84 APR 15 PM 3 01

2313

SUBJECT TO:

1-6169

1. Assessments, if any, due to the City of Klamath Falls for water use.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
3. Sewer and public utility easement over the Northeasterly 10 feet of said Lot as shown on dedicated plat.
4. Reservations as contained in plat dedication, to wit:
"(1) The use of the 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 areas of residences, 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 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 property; (7) No fences or barricades are ever to be erected between the building setback line and the street."
5. A 30 foot building setback line from McClellan Drive.

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 13th day of April A.D., 1984 at 3:01 o'clock P M, and duly recorded in Vol M84, of Deeds on page 6168.

EVELYN BIEHN, COUNTY CLERK

by: Pam Smith, Deputy

Fee: \$ 8.00