

38430

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That SUSAN RAE KIRK, Trustee

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JOYCE MC PHERSON 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 14 in Block 2 of FIRST ADDITION TO WINEMA GARDENS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

"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."

MOUNTAIN TITLE COMPANY INC.

- continued on the reverse side of this deed -

(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

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 \$ 38,104.61. However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (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 29th day of June, 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)

STATE OF OREGON, County of Klamath, June 29, 1984.

Personally appeared the above named SUSAN RAE KIRK, Trustee

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11/16/89

Susan Rae Kirk

Susan Rae Kirk, Trustee
2205 Millard Dr., Medford

Joyce McPherson
9508 Hill Rd.
Klamath Falls, OR 97603

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

SUSAN RAE KIRK, TRUSTEE
see below for signature

STATE OF OREGON, County of _____, 19____ ss.

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 _____

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)

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/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 -

SUBJECT TO:

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. Reservations and restrictions in Deed from Anna Simmers, widow of A. J. Simmers, to Herman L. Lofdahl, a single man, dated May 14, 1951, recorded July 13, 1951 in Deed Volume 248, page 397, Records of Klamath County, Oregon, as follows:
"Not more than two hogs shall be kept on said premises at any one time."
 4. Reservations and restrictions contained in the dedication of First Addition to Winema Gardens.
 5. Building setback line 20 feet from street as shown on dedicated plat.
 6. Utility easement as shown on dedicated plat. (Affects rear 8 feet).
 7. Reservations as contained in plat dedication, to wit:
"(1) A 20 foot building setback line along the front of all lots; (2) A 15 foot building setback on the street sideline of Lots 1 and 8, Block 1, Lots 1, 8, 9 and 16, Block 2, Lots 1, 2, 5 and 8, Block 3 and Lots 1, 6, 8 and 13, Block 4; (3) A 10 foot utility easement to be centered on the side lines of Lots 9 thru 16, Block 2 and Lots 1 thru 8, Block 1 as shown on annexed plat; (4) An 8 foot utility easement along the back of all lots unless otherwise indicated on annexed plat, said easement to be for future public utilities, drainage, and sanitary sewers, said easement to provide ingress and egress for the construction and maintenance of said utilities with no structures or fences being permitted thereon and any plantings being placed thereon at the risk of the owner, should said construction or maintenance damage them; (5) Additional restrictions as provided in recorded protective covenants."
 8. 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: May 20, 1976
Recorded: May 21, 1976
Volume: M76, page 7611, Microfilm Records of Klamath County, Oregon
Amount: \$31,350.00
Mortgagor: Rodney D. Cox and Ruth M. Cox, husband and wife
Mortgagee: State of Oregon, represented and acting by the Director of Veterans' Affairs (L-M43722)
 9. 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: April 10, 1978
Recorded: April 10, 1978
Volume: M78, page 6833, Microfilm Records of Klamath County, Oregon
Amount: \$6,175.00
Mortgagor: Rodney D. Cox and Ruth M. Cox, husband and wife
Mortgagee: State of Oregon, represented and acting by the Director of Veterans' Affairs (L-M86297)
- The Grantee named in this deed hereby agrees to assume and pay the above described Mortgages.
10. A Judgment for the amount herein stated and any other amounts due,
Entered: June 23, 1978
Docket Book: 32, page 304, line 2
Legal No.: Washington County Transcript D10-012
Debtor: Stephen Jesse Kirk
Creditor: Katherine Ann Morrison
Amount: Child Support in the amount of \$75.00 per month beginning May 1, 1977.

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11. A Judgment for the amount herein stated and any other amounts due,
Entered: May 12, 1983
Docket Book: 37, page 646, line 4
Legal No.: 83-122TJ
Debtor: Steven J. Kirk, aka Stephen J. Kirk and Susan R. Kirk
Creditor: Klamath Basin Collection Service, Inc.
Amount: \$376.50, plus interest, if any
12. A Judgment for the amount herein stated and any other amounts due,
Entered: June 24, 1983
Docket Book: 37, page 670, line 2
Legal No.: 83-159TJ
Debtor: Susan Kirk and Stephen Kirk
Creditor: Motors Insurance Corp.
Amount: \$751.20, plus interest, if any

The Grantee herein hereby agrees to assume and pay all of the above described Judgments.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record .

this 3rd day of July A. D. 19 84 at 3:38 o'clock P. M., and
duly recorded in Vol. M84, of Deeds on Page 11278.

By Evelyn Biehn County Clerk

Fee: \$12.00