

38884

MTI-12502-L
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That MARYLEE BUTLER and CHARLES A. BUTLER, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JIM MIELOSZYK and KARYN MIELOSZYK, 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:

The Easterly 90 feet of Lot 5, Block 30, HOT SPRINGS, in the City of Klamath Falls, County of Klamath, State of 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 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 \$ 37,000.00. ~~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 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 16th day of July, 19 84; 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)

Marylee Butler
Marylee Butler
Charles A. Butler, by *Marylee Butler, his attorney in fact.*
STATE OF OREGON, County of _____, 19 _____

STATE OF OREGON,)
County of Klamath) ss.
July 16th, 19 84

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.

Personally appeared the above named Marylee Butler for herself and as power of attorney for Charles A. Butler and acknowledged the foregoing instrument to be their voluntary act and deed.

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

Notary Public for Oregon
My commission expires: _____ (OFFICIAL SEAL)

Marylee Butler & Charles A. Butler

GRANTOR'S NAME AND ADDRESS
Jim Mieloszyk & Karyn Mieloszyk
1012 Eldorado
Klamath Falls, OR 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,)
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

MOUNTAIN TITLE COMPANY INC.

MOUNTAIN TITLE COMPANY INC.

SUBJECT TO:

12020

1. Reservations as contained in dedication of the plat of Hot Springs Addition.
2. Reservations and restrictions as contained in instrument recorded July 11, 1910 in Volume 29, page 451, Deed Records of Klamath County, Oregon, to wit:
"Grantee hereby agrees that no dwelling house shall be erected on said premises to cost less than Twenty-Five Hundred (\$2500.00) Dollars, unless plans for the same are approved by party of the first part, and further, that no buildings shall be erected on said property within thirty (30) feet of the line of Eldorado Avenue and that no fence or wall shall ever be erected on said property at a greater height than four feet at any point within thirty feet of Eldorado Avenue and that no building except for dwelling purposes and the necessary and usual outbuildings incident thereto shall be erected or used on said premises for a period of fifteen (15) years from the date of this contract."
3. 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: December 31, 1981

Recorded: December 31, 1981

Volume: M81, page 22309, Microfilm Records of Klamath County, Oregon

Amount: \$28,500.00

Grantor: Marylee Butler

Trustee: Transamerica Title Insurance Company

Beneficiary: Edwin L. Parnell and Sherry L. Parnell, husband and wife

The Grantees as they appear on the reverse of this deed agree to assume said Trust Deed and to pay said Trust Deed in full.

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 17 day of July A.D. 19 84

at 11:36 o'clock A M, and duly

recorded in Vol. M84 of Deeds

page 12019

EVELYN BIEHN, County Clerk

By *Ann Smith* Deputy

Fee 8.00