

41181

WARRANTY DEED

Vol. 091 Page 15856

KNOW ALL MEN BY THESE PRESENTS, That ROBERT L. BAILEY and BARBARA J. BAILEY, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by TERRI LUEKER, 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 81 of 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 shown on the reverse of this deed and those of record or 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 \$56,500.00. However, the above consideration is not to be construed as including other property or value given or promised which is the whole consideration (indicate which of the following is correct by marking X in the space provided.)

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 12th day of September, 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.

Robert L. Bailey  
Robert L. Bailey

Barbara J. Bailey  
Barbara J. Bailey

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,  
County of Klamath } ss.  
Sept. 12, 1984

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
\_\_\_\_\_, 19\_\_\_\_

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 \_\_\_\_\_

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)

Personally appeared the above named Robert L. Bailey and Barbara J. Bailey and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: \_\_\_\_\_ Notary Public for Oregon  
My commission expires: 7/13/85 (OFFICIAL SEAL)

Robert L. & Barbara J. Bailey

GRANTOR'S NAME AND ADDRESS

Terri Lueker  
1540 McClellan Drive P.O. Box 1921  
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 \_\_\_\_\_, 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

SPACE RESERVED FOR RECORDER'S USE

15556

15857

SUBJECT TO:

1. Taxes for the fiscal year 1984-1985, a lien, not yet due and payable.

2. Taxes for the fiscal year 1983-1984, have been assessed with Veterans Exemption. If the exempt status is terminated under the statute prior to the date on which the assessment roll becomes the tax roll in the year in which said taxes were assessed, an additional tax may be levied.

3. City liens, if any, due to the City of Klamath Falls.

4. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.

5. Building setback line 30 feet from street as shown on dedicated plat.

6. Easement, 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 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 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 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 building setback line and the street."

7. An easement created by instrument, including the terms and provisions thereof,

Dated: June 1, 1956

Recorded: June 8, 1956

Volume: 284, page 22, Klamath County Deed Records

In favor of: The California Oregon Power Company, a California corporation

For: Pole or tower and wire lines

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: August 17, 1962

Recorded: August 21, 1962

Volume: 212, page 277, Klamath County Deed Records

Amount: \$17,000.00

Mortgagor: Clifford H. Macy and Lois E. Macy, husband and wife

Mortgagee: The Prudential Insurance Company of America, a corporation of the State of New Jersey (Loan No. 2122-316)

Said Mortgage was assigned by instrument,

recorded: May 31, 1983

Volume: M83, page 8391, Microfilm Records of Klamath County, Oregon

To: Security Pacific National Bank, as Trustee

15858

SUBJECT TO:

(continued)

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: August 8, 1977

Recorded: August 10, 1977

Volume: M77, page 14505, Microfilm Records of Klamath County, Oregon

Amount: \$15,305.76

Mortgagor: Robert L. Bailey and Barbara J. Bailey

Mortgagee: First Federal Savings and Loan Association

Loan No.: 31-40006

STATE OF OREGON, )

County of Klamath )

Filed for record at request of

on this 13 day of Sept, A.D. 19 84  
at 2:17 o'clock P M, and duly  
recorded in Vol. M84 of Deeds  
Page 15856

**EVELYN BIEHN**, County Clerk

By Tom Smith, Deputy

Fee 12.00