

42759

WARRANTY DEED

CURTIS LEE POTTER AND MARY E

KNOW ALL MEN BY THESE PRESENTS, That

POTTER, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by MICHAEL HERRON AND CHARLENE HERRON, 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:

SEE DESCRIPTION ON REVERSE SIDE OF DOCUMENT

"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.

(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 document and those

apparent upon the land as of the date of this conveyance. 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 \$ 36,000.00. 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 29th day of October, 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

October 29, 1984

Personally appeared the above named

CURTIS LEE POTTER

MARY E. POTTER

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

Before me,

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 12-14-84

CURTIS LEE POTTER

MARY E. POTTER

STATE OF OREGON, County of

Personally appeared

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:

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Klamath First Federal Savings & Loan
2943 South Sixth Street
Klamath Falls, Oregon 97603

NAME, ADDRESS, ZIP

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

Same as listed above

NAME, ADDRESS, ZIP

STATE OF OREGON,

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

A piece or parcel of land situate in the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, being more particularly described as follows: Beginning at a 5/8 inch aluminum capped monument on the South boundary of Denver Avenue from which the monument marking the Northwest corner of Section 11, Township 39 South, Range 9 East of the Willamette Meridian bears South 89° 58' 50" West 546.1 feet and North 0° 13' 30" West 1692.5 feet distant; thence North 89° 58' 50" East along the South boundary of Denver Avenue 134.0 feet to a 5/8 inch aluminum capped monument; thence South 0° 07' East 302.0 feet to a 5/8 inch aluminum capped monument; thence South 89° 56' 20" West 226.7 feet to a point thence North 0° 15' 30" West 212.2 feet to a 5/8 inch aluminum capped monument thence North 89° 58' 50" East 93.45 feet to a 5/8 inch aluminum capped monument; thence North 0° 13' 50" West 90.0 feet to the point of beginning.

EXCEPTING THEREFROM a parcel of land situated in the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at a point on the Southerly boundary of Denver Avenue, from which the monument marking the Northwest corner of said Section 11 bears South 89° 58' 50" West 552.6 feet and North 00° 13' 30" West 1692.5 feet distant; thence North 89° 58' 50" East along the said Southerly boundary of Denver Avenue, 127.5 feet to a 5/8" aluminum capped monument; thence South 00° 07' East 302.0 feet to a 5/8" aluminum capped monument; thence South 89° 56' 20" West 126.7 feet; thence North 00° 15' 30" West 302.05 feet to the point of beginning.

PARGEL 2:

A piece or parcel of land situate in the N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, being more particularly described as follows: Beginning at a 5/8 inch aluminum capped monument on the South boundary of Denver Avenue from which the monument marking the Northwest corner of Section 11, Township 39 South, Range 9 East of the Willamette Meridian bears South 89° 58' 50" West 452.6 feet and North 0° 13' 30" West 1692.5 feet distant; (said point being 110.0 feet Easterly from the West line of that tract of land conveyed at Page 622, Volume 298 of Deed Records of Klamath County as surveyed on the ground); thence North 89° 58' 50" East along the South boundary of Denver Avenue 93.5 feet to a 5/8 inch aluminum capped monument thence South 0° 13' 50" East 90.0 feet to a 5/8 inch aluminum capped monument; thence South 89° 58' 50" West 93.45 feet to a 5/8 inch aluminum capped monument; thence North 0° 15' 30" West 90.0 feet to the point of beginning.

Subject to:

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

2. Reservations or exceptions in patents or in Acts authorizing the issuance thereof.

3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.

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

5. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

6. Reservations, restrictions and easements as contained in Deed recorded April 30, 1947 in volume 205, page 449, Deed Records of Klamath County, Oregon, to wit:

"Easement for one-half of the right of way of the above mentioned 60 foot roadway. An easement for ditches and/or pipe lines to convey water for irrigation and domestic use,

and for drainage purposes, for the benefit of adjoining property owners. That no dwelling house shall be placed upon said land to cost less than \$1,000.00, that such dwelling shall be finished in a workmanlike manner and shall be painted outside; that all buildings shall be set back at least 60 feet from the center of the above mentioned roadway."

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 31st day of October A.D., 1984 at 11:48 o'clock A M, and duly recorded in Vol M84, of Deeds on page 18595.

EVELYN BIEHN, COUNTY CLERK

by: *[Signature]*, Deputy