

MTC-14521-K
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That PAULA PALMER, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by HERBERT R. CARY, 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:

Lots 9, 10 and 11, Block 46, HILLSIDE ADDITION TO THE CITY OF KLAMATH FALLS, according to the official plat thereof on file in the office of the Clerk of Klamath County, Oregon.

SUBJECT TO:

1. Reservations and restrictions as shown in deed from The Klamath Development Co., a corporation, to J. B. Ferguson, et ux, dated March 7, 1927, recorded March 11, 1927, in Book 70, Page 351, Deed Records of Klamath County, Oregon.
2. Restrictive covenants, including the terms and provisions thereof, recorded on November 15, 1968 in Film Volume M68, Page 10219, Microfilm Records of Klamath County, Oregon, to-wit: "Harold M. Rush for himself, his executors, administrators and assigns, does hereby covenant and agree to and with Marvin E. Reed and Frances M. Reed, their heirs, executors, administrators, and assigns, to refrain from erecting, causing or permitting to be erected on Lots 9 and 10, Block 46, Hillside Addition, or any part thereof, any building or structure which shall rise above a line from the living room window sill of the dwelling located on Lots 7 and 8, Block 46, Hillside Addition and the sidewalk of the Armory located at the corner of Main and Spring Streets, Klamath Falls, Oregon. No trees, shrubs or fences of any kind except those existing on Lots 9 and 10, Block 46, Hillside Addition at the date hereof, shall be permitted to extend vertically to a greater height than five feet above the level of the ground of Lots 9 and 10, Block 46, Hillside Addition as it presently exists.

Subject to the further exception that said real premises and the dwelling and other improvements located thereon are conveyed to Grantee "as is" and in the physical condition said real premises, dwelling and improvements shall be in on the date of closing. Grantor makes no warranty as to the physical condition of said real premises, dwelling or other improvements.

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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, and that grantor will warrant and forever defend the above granted 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 \$30,000.00.

In construing this deed and where the context so requires, the singular includes the plural.

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.

WITNESS grantor's hand this 30th day of January 1985.

Paula Palmer
PAULA PALMER

STATE OF OREGON)
)
County of Yamhill) ss:

January 30, 1985

Personally appeared the above named PAULA PALMER and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

Altha E. Howell
Notary Public for Oregon
My Commission Expires: 12/15/88

After recording, return to:

HERBERT CARP
2050 ADDEEN ST.
KLAMATH FALLS, OR 97601

Until a change is requested,
send tax statements to:

SAME AS RETURN.

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STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 1st day of February A.D., 1985 at 2:09 o'clock P M, and duly recorded in Vol M85, of Deeds on page 1759.

Fee: \$ 9.00

EVELYN BIEHN, COUNTY CLERK

by: Ann Smith, Deputy