

KNOW ALL MEN BY THESE PRESENTS, That

JEWELL FERGUSON

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

STEVE E. WHITMAN and CINDY K. WHITMAN, husband and wife

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 4 in Block 2 of BEL-AIRE 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 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 \$40,000.00

However, the actual consideration consists of or includes other property or value given or promised, which is the whole consideration, indicate which (X) 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 6th day of March, 1985; 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)

Jewell Ferguson
JEWELL FERGUSON

STATE OF OREGON

County of Klamath

19 85

Personally appeared the above named

JEWELL FERGUSON

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11/12/87

STATE OF OREGON, County of

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:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

Jewell Ferguson

1705 Derby
Klamath Falls, OR 97603

GRANTOR'S NAME AND ADDRESS

Steve E. Whitman & Cindy K. Whitman

5400 Bel Aire Drive
Klamath Falls, OR 97603

GRANTEE'S NAME AND ADDRESS

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

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.

Recording Officer

By Deputy

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. The premises herein described are within and subject to the statutory powers, including the power of assessment of Enterprise Irrigation District.
4. Building setback line 20 feet from Bel-Aire Drive as shown on dedicated plat.
5. Subject to a 20 foot utility easement along South lot line and an 8 foot utility easement along West lot line as shown on dedicated plat.
6. Said plat being subject to a building set back line along all streets as shown on the annexed plat, a five-foot side line set-back along all side lot lines, and an easement along the back and side lines of lots as shown on the annexed plat for present and future public utilities and drainage, said easement to provide ingress and egress for construction and maintenance of said utilities and drains with no permanent structures being permitted thereon and any plantings being placed thereon at the risk of the owner and this plat is approved subject to the following conditions: (1) The owners of the land in this subdivision, their heirs and assigns, in whom title may be vested, shall always at their own expense, properly maintain and operate such irrigation system, (3) The Enterprise Irrigation District, its successors and assigns, and the United States, person, firm or corporation operating the irrigation works of the Enterprise Irrigation District, shall never be liable for damage caused by improper construction, operation, or care of such system, or lack of sufficient water for irrigation. Liability of the operators being limited to furnishing water at established outlets of the USBR lateral.
7. Conditions and restrictions, but omitting restrictions, if any, based on race, color, religion, or national origin, imposed by instrument, including the terms and provisions thereof, recorded July 10, 1963, in Volume 346, page 441, Deed Records of Klamath County, Oregon.
8. 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: August 26, 1964

Recorded: September 9, 1964

Volume: 225, page 488, Deed Records of Klamath County, Oregon

Amount: \$14,800.00

Grantor: Harold L. Bennett and Donna Dee Bennett, husband and wife

Trustee: Oregon Title Insurance Co., an Oregon corporation

Beneficiary: Commonwealth, Inc., an Oregon corporation

Assignment of Trust Deed by Beneficiary

Dated: September 2, 1965

Recorded: September 3, 1965

Volume: M65, page 1431, Microfilm Records of Klamath County, Oregon

To: The State of Oregon, acting by and through the State Treasurer for the Industrial Accident Fund

The Grantees named on the reverse side of this deed hereby agree to assume and pay the above described Trust Deed in full as of the date of this deed.

STATE OF OREGON,)

County of Klamath)

Filed for record at request of

on this 6th day of March A.D. 19 85at 2:56 o'clock P M, and dulyrecorded in Vol. M85 of DeedsPage 3342

EVELYN BIEHN, County Clerk

By Sam Smith DeputyFee 9.00