

SFS 47077

MTC#146470

WARRANTY DEED

MOUNTAIN TITLE COMPANY INC

Vol. 185 Page 4241

KNOW ALL MEN BY THESE PRESENTS, That NORMAN D. MILLER

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JOE D. ASHBY and CHRIS E. C. ASHBY, 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 LEGAL DESCRIPTION AS IT APPEARS ON THE REVERSE OF THIS DEED

MOUNTAIN TITLE COMPANY INC.

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.

(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

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 \$ 50,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the 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 20th 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)

Norman D. Miller
Norman D. Miller

STATE OF OREGON,

County of Klamath

3/20, 1985

STATE OF OREGON, County of

19

ss.

Personally appeared

and

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:

NORMAN D. MILLER

GRANTOR'S NAME AND ADDRESS

JOE D. ASHBY and CHRIS E. C. ASHBY
4517 Winter
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

A parcel of land situated in the S $\frac{1}{2}$ of the SW $\frac{1}{2}$ of the NW $\frac{1}{2}$ of Section 11, Township 39 South Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point which lies N 1°12'W a distance of 331.4 feet along the Section line and N 88°57' E a distance of 1084.5 feet from the iron axle which marks the one quarter section corner common to Sections 10 and 11 in Township 39 South, Range 9 East of the Willamette Meridian, and running thence; continuing N 88°57' E a distance of 135.0 feet to a point; thence N 1°12'W parallel to the section line a distance of 331.4 feet, more or less, to an iron pin in the North line of the S $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$ of Section 11; thence S 88°58' W along the said North line of the S $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$ of Section 11, a distance of 135.0 feet to an iron pin; thence S 1°12' E a distance of 331.4 feet, more or less, to the point of beginning of said tract, in the S $\frac{1}{2}$ SW $\frac{1}{2}$ NW $\frac{1}{2}$ of Section 11, Township 39 South, Range 9 East of the Willamette Meridian. There is reserved for road purposes a strip of land 30 feet wide along the Southerly side of said tract.

SUBJECT TO:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of street, roads or highways.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
3. City Water use charges, if any, due to the City of Klamath Falls.

4. Reservations, restrictions and easements, including the terms and provisions thereof, as contained in instrument recorded Marcy 18, 1942 in Volume 146 at page 101 Deed Records of Klamath County, Oregon, wherein J. J. Winter and Flora Winter, his wife, as grantors and Grace J. Sayles, as grantee to wit:

"Subject however to the following easements and reservations:

(1) An easement for ditch and/or pipe lines to convey water for irrigation and domestic use, and for drainage purposes, for the benefit of adjoining property owners. (2) That no dwelling house shall be palced upon said land to cost less than \$1000.00; 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 line of the above mentioned roadway."

5. Reservations, restrictions and easements, including the terms and provisions thereof as contained in Deed recorded August 12, 1942 in Volume 149 at page 211, Deed Records of Klamath County, Oregon, wherein J. J. Winter and Flora Winter, husband and wife as grantors and Carl A. Grubb and Cressa V. Grubb, husband and wife as grantees, to wit:

"Subject, however to the following easements and reservations:

(1) There is 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. (2) That no dwelling house shall be placed upon said land to cost less than \$1000.00; that such dwelling shall be finished in a workmanlike manner, and shall be set back at least 60 feet from the center line of the above mentioned roadway."

6. 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: July 1, 1971

Recorded: July 2, 1971

Volume: M71, page 6957, Microfilm Records of Klamath County, Oregon

Grantor: Norman D. Miller and Sylvia L. Miller, husband and wife

Trustee: William Ganong, Jr.

Beneficiary: First Federal Savings and Loan Association

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.

STATE OF OREGON: COUNTY OF KLAMATH:ss

I hereby certify that the within instrument was received and filed for record on the 21st day of March A.D., 1985 at 4:54 o'clock P M, and duly recorded in Vol M85 of Deeds on page 4241

EVELYN BIEHN, COUNTY CLERK

by: Pam Smith, Deput

Fee: \$ 9.00