

47778

MTC#14543

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ESAC

KNOW ALL MEN BY THESE PRESENTS, That ERVIN G. FAHLGREN and EDNA J. FAHLGREN, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by RONALD D. ELSMORE JR. and SHARON I. ELSMORE, 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 pertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

Lot 56, FIRST ADDITION TO SUMMERS LANE HOMES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

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.

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 \$52,500.00

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). 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 8th day of April, 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.

Ervin G. Fahlgren

Edna J. Fahlgren

STATE OF OREGON, County of Klamath

Personally appeared 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)

Ervin G. Fahlgren and Edna J. Fahlgren

GRANTOR'S NAME AND ADDRESS Ronald D. Elsmore Jr. & Sharon I. Elsmore 4607 Onyx 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:

NO CHANGE

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

SSP

SUBJECT TO:

5423

1. City water use charges, if any, due to the City of Klamath Falls.
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 Klamath Irrigation District.
4. A right of way created by instrument, including the terms and provisions thereof,
Recorded: March 16, 1909
Volume: 25, page 628, Deed Records of Klamath County, Oregon
In favor of: United States
For: Irrigation purposes
Affects: Blanket easement
5. Acceptance of the Terms and Conditions of Reclamation Extension Act, including the terms and provisions thereof, by J. M. Ezell, dated November y, 1914 in Volume 43 at page 15, Deed Records of Klamath County, Oregon.
6. Building setback line 20 feet from street as shown on dedicated plat.
7. Easement for sanitary sewers and public utilities along rear eight feet of lot, as shown on dedicated plat.
8. Restrictions as contained in plat dedication, to wit:
"Convey unto all subsequent owners perpetual right to use of all irrigation and drainage ditches as shown on the plat and does hereby grant an 8 foot easement along the back of all lots for sanitary sewers and public utilities, said easement to provide ingress and egress for construction and maintenance of said utilities, with no structures being permitted thereon and any planting being placed thereon at the risk of the owner. Use of the land is for residential purposes only and is limited to one residential building per lot, with architectural standards being no less than the minimum requirements of the Federal Housing Authority specifications. Minimum foundation areas, not including garage or storage space shall be 1000 square feet for one-story residences and 800 square feet for one and one-half or two story residences. This plat is subject to a 20 foot building setback line as shown and no access will be permitted to Hope Street from Lots 43-46 shown."
9. Covenants, 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 December 12, 1958 in Volume 307, page 441, Deed Records of Klamath County, Oregon.
10. 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: January 7, 1965
Recorded: January 7, 1965
Volume: 228, page 159, Deed Records of Klamath County, Oregon
Amount: \$14,500.00
Grantor: Glen B. Johnston and Maxine Johnston, husband and wife
Trustee: Oregon Title Company of Klamath County
Beneficiary: United States National Bank of Oregon

The Grantees as they appear on the reverse of this deed, DO NOT agree to assume said Trust Deed, and Grantors herein shall hold Grantees harmless therefrom.

STATE OF OREGON,)
County of Klamath)

Filed for record at request of

on this 15th day of April A.D. 1985
at 1:29 o'clock P M, and duly
recorded in Vol. M85 of Deeds
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EVELYN BIEHN, County Clerk

By [Signature] Deputy

Fee \$9.00