

47810

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That RICKY J. ALLEN and VIRGINIA E. ALLEN, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JOHN R. PENNINGER and JEANNINE PENNINGER, 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:

Lot 1, Block 2, SUNSET VILLAGE, 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 the 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 \$ 54,900.00

~~HOWEVER, THE ACTUAL CONSIDERATION CONSIDERED BY THE GRANTOR AND GRANTEE IS THE VALUE OF THE PROPERTY TRANSFERRED, WHICH IS THE SUBJECT MATTER OF THIS DEED. (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 15th 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.

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,) ss.

County of Klamath

April 15, 1985

Personally appeared the above named RICKY J. ALLEN and VIRGINIA E. ALLEN

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

(OFFICIAL SEAL)

Before me:

Notary Public for Oregon

My commission expires: 11/16/87

STATE OF OREGON, County of) ss.

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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

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:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

Ricky J. Allen and Virginia E. Allen

P.O. Box 243
Talent, OR 97540

GRANTOR'S NAME AND ADDRESS

John R. Penninger and Jeannine Penniger

3822 Southgate
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,) ss.

County of

I certify that the within instrument was received for record on the day of

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

8712

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- continued from the reverse side of this deed -

SUBJECT TO:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment of South Suburban Sanitary District.
2. Assessments, if any, due to the City of Klamath Falls for water use.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
4. Subject to liens and assessments, of Sunset Lighting District.
5. Building setback lines 20 feet from streets as shown on dedicated plat.
6. An 8 foot utilities easement along East line as shown on dedicated plat.
7. Reservations as contained in plat dedication, to wit:
 "(1) Easements for future public utilities, irrigation, and drainage ditches as shown on the annexed plat, (2) Easements to provide ingress and egress for construction and maintenance of said utilities irrigation and drainage ditches;
 (3) No changes will be made in the present irrigation and/or drain ditches without the consent of the Enterprise Irrigation District, its successors or assigns; (4) Building setback lines as shown on the annexed plat, (5) All easements and reservations of record and additional restrictions as provided in any recorded protective covenants."
8. 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 May 29, 1967, in Volume M67, page 4004, Microfilm Records of Klamath County, Oregon.
9. The effect of a Waiver of Set-back requirement by property owners in Sunset Village,
 Recorded: August 27, 1968
 Volume: M68, page 7751, Microfilm Records of Klamath County, Oregon
 Affects: Lot 1, Block 2, Sunset Village
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: November 10, 1983
 Recorded: November 14, 1983
 Volume: M83, page 19530, Microfilm Records of Klamath County, Oregon
 Amount: \$43,128.00
 Grantor: Ricky J. Allen and Virginia E. Allen
 Trustee: Mountain Title Company, Inc.
 Beneficiary: State of Oregon, by and through the Director of Veterans' Affairs

STATE OF OREGON,
 County of Klamath)

Filed for record at request of

on this 15th day of April A.D. 19 85
 at 4:10 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