

48506

MTCH#1875

WARRANTY DEED

Vol. 185 Page 6786

KNOW ALL MEN BY THESE PRESENTS, That WILLIAM MASIELLO

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by LESTER L. MICHAEL and BARBARA A. MICHAEL, 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:

The Southeasterly rectangular 36 feet of Lot 8 and the Northwesterly rectangular 29 feet of Lot 9, Block 10, ELDORADO, an addition to the City of Klamath Falls, Oregon, 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 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 \$58,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole or 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 6th day of May, 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)

William Masiello

STATE OF OREGON, County of Klamath, ss. STATE OF OREGON, County of ss. 5/6, 1985

Personally appeared

Personally appeared the above named

William Masiello, and acknowledged the foregoing instrument as his voluntary act and deed.

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.

Notary Public for Oregon My commission expires:

(OFFICIAL SEAL)

William Masiello

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 tile/reel number.

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer Deputy

GRANTOR'S NAME AND ADDRESS

Lester L. Michael & Barbara A. Michael 180 Dahlia Klamath Falls OR 97601

GRANTEE'S NAME AND ADDRESS

GRANTEE

NAME ADDRESS ZIP

Until a change is requested all tax statements shall be sent to the following address.

NO CHANGE

NAME ADDRESS ZIP

SUBJECT TO:

1. Sewer and water use charges, if any, due to the City of Klamath Falls.
2. Conditions and restrictions, including the terms and provisions thereof, as contained in Deed from State of Oregon, by and through its State Highway Commission to Wilson Title & Abstract Co., Trustee, dated July 22, 1949, recorded June 9, 1950 in Volume 239, page 370, Deed Records of Klamath County, Oregon:

"The acceptance of this instrument by the grantee shall forever operate as a complete restriction of all rights of ingress and egress to and from all streets, lots, blocks and alleys abutting on property to which title is held by the grantor lying Southwesterly from the plat of Eldorado Addition between Eldorado Boulevard and Van Ness Avenue, as shown on said plat. This condition and restrictions shall run with the land and shall not be subject to modification, cancellation or destruction by adverse user or estoppel, no matter how long continued."

3. Reservations and restrictions including the terms and provisions thereof, in the dedication of Eldorado as follows:

"(1) The use of the lots designated in said area is restricted to one residence to each lot, such resident to contain not less than 720 square feet of foundation area, excluding garages or storage areas to be so constructed and of an architectural standard not less than those minimums defined by the National Housing Agency, Federal Housing Administration, Portland, Oregon office, for properties of one or two living units located in the district covered by the Portland Insuring Office as set out in F. H. A. Form No. 2277, revised April of 1947; and retail business establishments not engaging in manufacturing and not using outside storage may occupy Blocks 2, 3, 4 and 7; and multiple dwellings constructed in accordance with the above mentioned minimums may occupy Lots 7 to 9 inclusive of Block 1; Lots 11 to 15 also inclusive of Block 4; Lots 7 to 12 inclusive of Block 5, and Lots 1, 2, 3, 33, 34 and 35 of Block 8; (2) No septic tanks or cess pools shall be constructed within the area and the undersigned dedicators reserve the right to construct and maintain sewers or other utilities over, in and through the entire area, as may seem to said dedicators necessary or proper for public health, convenience and safety; (3) Each lot shall be subject to its proportionate share, on a foot frontage basis of all lots directly affected by any such proposed improvement."

4. Easement, including the terms and provisions thereof, executed by Donald L. Sloan, et ux, to the California Oregon Power Company, a California corporation, dated November 28, 1950, recorded December 1, 1950 in Deed Volume 243, page 569, Records of Klamath County, Oregon.

5. Right of Way for transmission line, including the terms and provisions thereof, for Metropolitan Development Inc., to the California Oregon Power Company, dated October 17, 1956, recorded October 23, 1956 in Deed Volume 287, page 402, Records of Klamath County, Oregon.

6. Mortgage, 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 13, 1961

Recorded: July 13, 1961

Volume: 203, page 200, Deed Records of Klamath County, Oregon

Amount: \$15,000.00

Mortgagor: Mack P. Jones and Marie Martin Jones, husband and wife

Mortgagee: First National Bank of Oregon

The Grantees as they appear on the reverse of this deed, agree to assume said Mortgage and to pay said Mortgage in full.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record

this 7th day of May A.D. 19 85 at 12:07 o'clock P. M., and
duly recorded in Vol. M85, of Deeds on Page 6786

By Evelyn Biehn, County Clerk

Fee: \$9.00