

49501

MOUNTAIN TITLE COMPANY INC

KNOW ALL MEN BY THESE PRESENTS, That

WARRANTY DEED

GERALDINE KIRK

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hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DONALD L. CABITTO, JR., DONALD L. CABITTO, SR., and IDA D. CABITTO, not as tenants in common, but, 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 11 in Block 6, FIRST ADDITION TO KELENE GARDENS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

"This instrument doesnot 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 -

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

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. and that The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 25,000.00

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 5th day of June, 1985;

order of its board of directors. (If executed by a corporation, affix corporate seal) GERALDINE KIRK

STATE OF OREGON, County of Klamath, June 5, 1985

Personally appeared the above named GERALDINE KIRK

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

Before me: Kristi L. Redd Notary Public for Oregon My commission expires: 11/16/87

Geraldine Kirk

STATE OF OREGON, County of ss. Personally appeared, 19,) ss.

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)

GRANTOR'S NAME AND ADDRESS Donald L. Cabitto, Jr., Donald L. Cabitto, Sr. & Ida D. Cabitto 4810 Berkey Place Klamath Falls, OR 97603

After recording return to: SAME AS GRANTEE

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

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

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. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
3. Building setback line 20 feet from street as shown on dedicated plat.
4. Public utilities easement along rear 8 feet as shown on dedicated plat.
5. Reservations as contained in plat dedication, to wit:
"(1) Building setback lines as shown on the annexed plat, (2) Utility easements as shown on the annexed plat for all present and future utilities and perpetual right of way for ditches to convey irrigation water, said easements to provide ingress and egress for construction and maintenance for said utilities with no structures being permitted thereon and any plantings being placed thereon at the risk of the owner, (3) The use of the land is for residential building per lot, (4) Architectural standards shall be no less than the minimum requirements of the Federal Housing Authority Specifications, (5) No changes will be made in the present irrigation ditches without the consent of the Klamath Irrigation District, its successors, or assigns."

STATE OF OREGON,)
County of Klamath)
Filed for record at request of

on this 5th day of June A.D. 19 85
at 3:55 o'clock P M, and duly
recorded in Vol. M85 of Deeds
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EVELYN BIEHN, County Clerk

By *Pam Smith* Deputy

Fee \$9.00