

50027

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That Gary W. Tatom and Karen Tatom, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JACK HARPHAM and BONNIE HARPHAM, 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 15, less the Southeasterly 5 feet thereof, in WINEMA GARDENS, 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

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 \$49,900.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 17th day of June, 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)

GARY W. TATOM

KAREN TATOM

STATE OF OREGON, County of

1985

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.

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

STATE OF OREGON

County of Klamath

June 17, 1985

Personally appeared the above named GARY W. TATOM and KAREN TATOM

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11/16/87

Gary W. Tatom & Karen Tatom

6642 Eberlein Klamath Falls, OR 97603

GRANTOR'S NAME AND ADDRESS

Jack Harpham & Bonnie Harpham

544 Bayliff Klamath Falls, OR 97603

GRANTEE'S NAME AND ADDRESS

After recording return to:

SAME AS GRANTOR

MOUNTAIN TITLE CO. INC.

NAME, ADDRESS, ZIP

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

SAME AS GRANTOR

NO CHANGE

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of, 1985,

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. Assessments, if any, due to the Moyina Water District for water use.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
3. 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 August 13, 1959 in Volume 13, page 496, Miscellaneous Records of Klamath County, Oregon, recorded and modified April 21, 1960 in Volume 320, page 437, Deed Records of Klamath County, Oregon, which was also recorded July 15, 1959 in Volume 13, page 472, Miscellaneous Records of Klamath County, Oregon, and recorded in Volume 321 at page 440, Deed Records of Klamath County, Oregon, on May 26, 1960.
4. 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 2, 1944 in Volume 164, page 406, and recorded July 13, 1951 in Volume 248, page 397, all Deed Records of Klamath County, as follows: "Right of way for irrigation and drainage ditches are hereby reserved. Not more than two hogs shall be kept on said premises at any one time."
5. Easements and restrictions as reserved in plat dedication, to wit:
"(1) A 20 foot building setback along the front of all lots as shown; (2) A ten foot easement along the back of all lots as shown, said easement to be centered along the back of adjoining lots and to be for future public utilities, drainage, and sanitary sewers, said easement to provide ingress and egress for the construction and maintenance of said utilities, with no structures or fences being permitted thereon and any planting being placed thereon at the risk of the owner should said construction or maintenance damage them; (3) Use of the land is for residential purpose only and is limited to one residential building per lot; (4) Architectural standards shall be no less than the minimum requirements of F.H.A. Specifications with a minimum foundation area of 1000 square feet of living space; (5) Ten foot utility easement to include and be centered on the side lines of Lots 8, 9, 10, 11, 12, 13, and 14."
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: June 10, 1960
Recorded: June 24, 1960
Volume: 196, page 594, Deed Records of Klamath County, Oregon
Amount: \$14,350.00
Mortgagor: J. Claude Bowden and Thelma M. Bowden, husband and wife
Mortgagee: Commerce Investment, Inc., a corporation
7. Real Estate Contract, including the terms and provisions thereof
Dated: August 15, 1980
Recorded: August 13, 1980
Volume: M80, page 15328, Microfilm Records of Klamath County, Oregon
Vendor: J. Claude Bowden and Thelma M. Bowden, husband and wife
Vendee: James R. Denham
The Vendees interest in the above Contract was assigned by instrument,
Dated: September 2, 1983
Recorded: September 2, 1983
Volume: M83, page 15060, Microfilm Records of Klamath County, Oregon
To: Gary W. Tatom
Warranty Deed, including the terms and provisions thereof,
Dated: April 18, 1985
Recorded: April 19, 1985
Volume: M85, page 5726, Microfilm Records of Klamath County, Oregon
Grantor: Gary W. Tatom
Grantee: Gary W. Tatom and Karen Tatom, husband and wife
The Vendee's interest in the above contract was assigned by instrument,
Dated: April 18, 1985
Recorded: April 19, 1985
Volume: M85, page 5728, Microfilm Records of Klamath County, Oregon
To: Gary W. Tatom and Karen Tatom, husband and wife, as joint tenants with right of survivorship
The Grantees named on the reverse side of this deed hereby agree to assume and pay in full the above described Real Estate Contract.

9237

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

on this 18th day of June A.D. 19 85
at 3:18 o'clock P M, and duly
recorded in Vol. M85 of Deeds
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EVELYN BIEHN, County Clerk

By *Sam Smith* Deputy

Fee \$13.00