

51042

MTC#15779-0

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That ROBERT E. CHEYNE and HELEN J. CHEYNE, Initial Trustees of the "Robert E. Cheyne 1984 Trust" UTA dated December 21, 1984, as to an undivided 1/2 interest; & ROBERT E. CHEYNE and HELEN J. CHEYNE, Initial Trustees of the "Helen J. Cheyne 1984 Trust" UTA dated December 21, 1984, as to an undivided 1/2 interest; hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by WILLIAM G. HORN, JR. & ROWENA W. HORN, 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 11 and the Northwesterly 2 feet of Lot 12, Block 2, TRACT 1145, NOB HILL, a Resubdivision of portions of NOB HILL, Irvington Heights, Mountain View Addition and Eldorado Heights, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

## MOUNTAIN TITLE COMPANY INC.

(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 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,

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 \$ 93,500.00

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 15th day of July, 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)

Robert E. Cheyne  
Robert E. Cheyne, Initial Trustee

Helen J. Cheyne  
Helen J. Cheyne, Initial Trustee

STATE OF OREGON,

County of Klamath

7/15, 1985

STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
\_\_\_\_\_, 19\_\_\_\_

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:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

Personally appeared the above named \_\_\_\_\_  
Robert E. Cheyne, Initial Trustee  
and Helen J. Cheyne, Initial Trustee

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

Melinda Spencer  
Notary Public for Oregon  
My commission expires: 8/16/88

Robert E. Cheyne & Helen J. Cheyne

GRANTOR'S NAME AND ADDRESS

William G. Horn Jr. & Rowena W. Horn  
1660 Ridgecrest  
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.

Grantee

NAME, ADDRESS, ZIP

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 tile/reel number \_\_\_\_\_

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By \_\_\_\_\_ Deputy

MOUNTAIN TITLE COMPANY INC.

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MOUNTAIN TITLE COMPANY INC.

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SUBJECT TO:

11090

1. Taxes for the fiscal year 1985-1986, a lien, not yet due and payable.
  2. City water and sewer use charges, if any, due to the City of Klamath Falls.
  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 in Volume M78, page 7560, and amended by instrument recorded in Volume M80, page 15313, Microfilm Records of Klamath County, Oregon.
  4. Reservations and restrictions contained in the dedication of Tract 1145, NOB HILL, as follows:  
"hereby dedicate, donate and convey to the public use forever, all streets, said plat being subject to: (1) Public utilities easements as shown on the annexed map, said easements are dedicated to the City of Klamath Falls for the use and regulation thereof; (2) All applicable zoning ordinances and recorded restrictive covenants; (3) One foot street plugs as shown on the annexed plat to be dedicated to the City of Klamath Falls and later released by resolution of the Common Council when the adjoining property is properly developed."
  5. Subject to a 16 foot public utilities easement over Southwesterly lot line as shown on dedicated plat.
  6. 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: December 5, 1979  
Recorded: December 6, 1979  
Volume: M79, page 28245, Microfilm Records of Klamath County, Oregon  
Amount: \$76,400.00  
Grantor: Robert E. Cheyne and Helen J. Cheyne, husband and wife  
Trustee: William Sisemore  
Beneficiary: Klamath First Federal Savings and Loan Association
- The Grantees appearing on the reverse of this deed agree to assume said Trust Deed and to pay said Trust Deed in full, and further agree to hold Grantors harmless therefrom.

"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."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of  
of July

A.D., 19 85 at 1:27 o'clock P M., and duly recorded in Vol. M85  
of Deeds on Page 11089

FEE \$9.00

Evelyn Biehn County Clerk  
By [Signature]