

51460

MTC-15067K

KNOW ALL MEN BY THESE PRESENTS, That ROBERT A. BRETT and FLORENCE W. BRETT,

husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

MARVIN W. EDWARDS and LINDA D. EDWARDS, 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 21 in Block 5 of TRACT 1003-THIRD ADDITION TO MOYINA, 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 \$ 52,500.00

~~Whereby the grantor hereby covenants to and with the grantee and grantee's heirs, successors and assigns, that the 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~~

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 12th 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.

ROBERT A. BRETT

FLORENCE W. BRETT

STATE OF OREGON, County of ) ss.

STATE OF OREGON

County of Klamath

July 12, 1985

Personally appeared the above named

ROBERT A. BRETT and FLORENCE W. BRETT

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

Before me:  
(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11/16/87

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

Robert A. Brett &amp; Florence W. Brett

6708 Eberlein  
Klamath Falls, OR

GRANTOR'S NAME AND ADDRESS

Marvin W. Edwards &amp; Linda D. Edwards

6708 Eberlein  
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.

STATE OF OREGON, DVA

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 file/reel number \_\_\_\_\_.

Record of Deeds of said county.

Witness my hand and seal of County affixed.

By \_\_\_\_\_ Recording Officer  
Deputy

- continued from the reverse side of this deed -

SUBJECT TO:

1. Real Property Taxes for the fiscal year 1985-1986, a lien, not yet due and payable.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Moyina Water.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
4. Subject to a 20 foot building setback from Eberlein Avenue as shown on dedicated plat.
5. Subject to an 8 foot easement over South lot line as shown on dedicated plat.
6. Reservations, restrictions, and easements as contained in plat dedication, to wit: "Said plat subject to: A building setback line as shown, public utility easements as shown to provide ingress and egress to construct and maintain said utilities, and additional restrictions as shown in any recorded protective covenants."
7. An easement created by instrument, including the terms and provisions thereof, dated June 1, 1956, recorded June 8, 1956, in Book 284, page 22, Deed Records, in favor of California Oregon Power Company, a California corporation, for transmission of electricity over portion SE 1/4 SW 1/4 Section 36 and Lots 81, 82, 91, 92, and 93 of Moyina.
8. Easements covering water mains running to well site described in Deed Book 285, at page 257, as granted to various lot owners in Moyina, including the terms and provisions thereof, as set forth in the various lot deeds.
9. Note and 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: April 8, 1980  
 Recorded: April 8, 1980  
 Volume: M80, page 6571, Microfilm Records of Klamath County, Oregon  
 Amount: \$31,625.00  
 Mortgagor: Robert A. Brett and Florence W. Brett, husband and wife  
 Mortgagee: State of Oregon, represented and acting by the Director of Veterans' Affairs (P36161)

The Grantees named herein hereby agree to assume and pay in full the above described Mortgage and Grantees further agree to hold Grantors harmless therefrom.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of July A.D., 19 85 at 11:44 o'clock A M., and duly recorded in Vol. M85 of Deeds on Page 11296.

FEE \$9.00

By Evelyn Biehn County Clerk  
[Signature]