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03881

WARRANTY DEED

Vol. 105 Page 13499

KNOW ALL MEN BY THESE PRESENTS, That WILLAMETTE SAVINGS & LOAN ASSOCIATION, a division of American Savings & Loan Association, a Utah corporation hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CHARLES P. GALLAGHER and ANNA M. GALLAGHER, husband and wife 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 46 of GRACE PARK, 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 \$ 44,000.00

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 23rd day of August, 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)

By Lloyd Jones
Lloyd Jones Vice President

STATE OF OREGON,

County of _____ } ss.
_____, 19____

Personally appeared the above named _____

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires: _____

Willamette Savings & Loan Association

GRANTOR'S NAME AND ADDRESS

Charles P. Gallagher & Anna M. Gallagher
3701 Madison St.
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.

SAME AS GRANTEE

NAME, ADDRESS, ZIP

STATE OF OREGON, County of Multnomah } ss.
Aug 23, 1985

Personally appeared Lloyd Jones

each for himself and not one for the other, did say that the former is, _____ who, being duly sworn, Vice

Savings & Loan Association, _____ president of Willamette Savings & Loan Association, 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:
Dolly M. Miller
Notary Public for Oregon
My commission expires: 9/23/86

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/real 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. 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 South Suburban Sanitary District.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
4. Grant right of way easement, including the terms and provisions thereof recorded May 18, 1943, in Volume 155, page 304, Deed Records of Klamath County, Oregon. (Affects the NW 1/4 of the NW 1/4 of Section 12)
5. Reservations, restrictions, and easements contained in plat dedication, to wit: "dedicate, donate and convey unto the public for public use forever, all roads, streets, avenues, and drives, shown on the annexed plat, and do hereby convey unto all subsequent owners perpetual rights to the use of all irrigation and drainage ditches, shown on said plat, and do hereby reserve an easement for future sewer lines and other utilities along back lines of lots. Subject to the following conditions: (1) The owners of Grace Park and their heirs and assigns, shall forever be responsible for delivery of irrigation water from presently established outlets in district laterals to the lots in said subdivision, and shall always, at their own expense, properly maintain and operate said irrigation system in said subdivision; (2) The Enterprise Irrigation District, its successors and assigns or any person, persons, firm or corporation, operating the works of said district, shall never be liable for damage caused by inadequate delivery and disposal of water through the irrigation and drainage systems provided for said subdivision by the owners; (3) The liability of the operators of the Enterprise Irrigation District, is limited to the delivery of water to presently established at the North end of Madison Street."
6. Subject to a 25 foot building setback from Winter Avenue and Madison Street as shown on dedicated plat.
7. Subject to an Irrigation ditch easement over West lot line as shown on dedicated plat.
8. Reservations or exceptions in patents or in Acts authorizing the issuance thereof.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 26th day
of August A.D. 19 85 at 12:39 o'clock P M., and duly recorded in Vol. M85
of Deeds on Page 13499

FEE \$9.00

Evelyn Biehn,
By _____ County Clerk
