

52574

WARRANTY DEED

Vol. 1385 Page 13681

KNOW ALL MEN BY THESE PRESENTS, That
WANDERSCHEID, husband and wife

GARY A. WANDERSCHEID and CLYDENE L.

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by GARY L. HAVIRD, JR.

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 3, Block 12, TRACT NO. 1006, SECOND ADDITION TO CYPRESS VILLA, 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 \$66,000.00

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 33.030.)

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 27th 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)

Gary A. Wanderscheid

Clydene L. Wanderscheid

STATE OF OREGON, County of Klamath) ss.

County of Klamath) ss.
8/27, 1985

Personally appeared

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

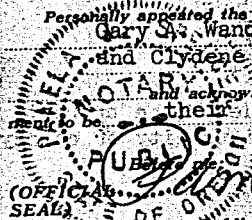
a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:



Gary A. Wanderscheid & Clydene L. Wanderscheid

GRANTOR'S NAME AND ADDRESS

Gary L. Havird, Jr.

5431 Sylvia

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,) ss.

County of

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.

Recording Officer

By Deputy

13682

13682

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 Klamath Irrigation District.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
4. Reservations, restrictions and easements as contained in plat dedication, to wit: "said plat being subject to building set-back lines as shown, easements for public utilities and irrigation use as shown, said easements to provide ingress and egress for construction and maintenance of said utilities, and additional restrictions as shown in any recorded protective covenants. No changes will be made in the irrigation ditches without the consent of the Klamath Irrigation District, its successors or assigns and this plat is approved subject to the following conditions: (1) The owners of the land in this subdivision, their heirs and assigns in whom title may be vested, shall always at their own expense properly install, maintain and operate such irrigation system; (2) The Klamath Irrigation District, its successors and assigns, and the United States, person, firm or corporation operating the irrigation works of the Klamath Irrigation District, shall never be liable for damage caused by improper construction, operation or care of such system or for lack of sufficient water for irrigation; (3) The liability of the operators of the Klamath Irrigation District shall be limited to the delivery of water at established outlets of the USBR canal; (4) The lands will always be subject to irrigation assessments, whether or not irrigation water is furnished."
5. Subject to a 10 foot easement over rear lot line as shown on dedicated plat.
6. Subject to a 25 foot building setback from Sylvia Avenue as shown on dedicated plat.

7. 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: September 4, 1979

Recorded: September 5, 1979

Volume: M79, page 21231, Microfilm Records of Klamath County, Oregon

Amount: \$47,900.00

Grantor: Gary A. Wanderscheid and Clydene L. Wanderscheid, husband and wife

Trustee: William Sisemore

Beneficiary: Klamath First Federal Savings & Loan Association

The Grantee appearing on the reverse of this deed agrees to assume said Trust Deed, and pay said Trust Deed in full, and further agrees to hold Grantor 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 _____ the _____ day
of August A.D., 19 85 at 3:41 o'clock P. M., and duly recorded in Vol. M85
of _____ Deeds on Page 13681

FEE \$9.00

Evelyn Biehn, County Clerk
By Ann Smith