

52619

MOUNTAIN TITLE COMPANY INC.

WARRANTY DEED

Vol 1185 Page 13263

KNOW ALL MEN BY THESE PRESENTS, That

and wife

AUDIE SOYLAND and LINDA SOYLAND, husband

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

MICHAEL S. CAREY and CHERYL CAREY, 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:

The Southeasterly 50 feet of Lot 4 and the Northwesterly 32 feet of Lot 5, 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 \$ 69,000.00

~~However, the actual consideration consists of the consideration paid for the premises, which is the whole consideration, and the consideration for the premises, which is the whole consideration.~~

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 28th 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)

AUDIE SOYLAND

LINDA SOYLAND

STATE OF OREGON, County of

STATE OF OREGON,

County of Klamath

August 28, 1985

Personally appeared

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)

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11/16/87

Audie Soyland &amp; Linda Soyland

94 Ponderosa  
Klamath Falls, OR 97601

Michael S. Carey &amp; Cheryl Carey

1750 Carlson Drive  
Klamath Falls, OR 97603

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

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.

Recording Officer

By Deputy

MOUNTAIN TITLE COMPANY INC.

continued from the reverse side of this deed -

13763

13764

SUBJECT TO:

1. Taxes for the fiscal year 1985-1986, a lien, not yet due and payable.
2. Assessments, if any, due to the City of Klamath Falls for water use.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
4. 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, also recorded July 15, 1959, in Volume 13, page 472, Miscellaneous Records of Klamath County, Oregon, and also recorded in Volume 321, page 440, Deed Records of Klamath County, Oregon.
5. 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, Klamath County, Oregon, as follows:  
"Rights of way for irrigation and drainage ditches are hereby reserved. Not more than 2 hogs shall be kept on said premises at any time."
6. 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 Lot 8, 9, 10, 11, 12, 13, and 14."
7. Subject to a 20 foot building setback line along front lot line as shown on dedicated plat.
8. Subject to a 10 foot utility easement along rear lot line as shown on dedicated plat.
9. 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 \_\_\_\_\_  
of August A.D. 19 85 at 4:31 o'clock P M., and duly recorded in Vol. M85  
of Deeds on Page 13763

FEE \$9.00

Evelyn Biehn,  
By \_\_\_\_\_

County Clerk  
*Pam Smith*