

KNOW ALL MEN BY THESE PRESENTS, That DOROTHY M. LYNCH

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by ERNEST C. BRACE and NANCY J. BRACE, 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:

The East one-half of TRACT 48 and 49, YALTA 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

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 \$ 41,000.00

However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration for this deed. (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 9th day of September, 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)

Dorothy M. Lynch

DOROTHY M. LYNCH

STATE OF OREGON

County of Klamath

ss.

September 9, 1985

Personally appeared the above named

DOROTHY M. LYNCH

and acknowledged the foregoing instru-

ment to be her voluntary act and deed.

(OFFICIAL SEAL)

Before me:

Kristi L. Redd

Notary Public for Oregon

My commission expires: 11/16/87

STATE OF OREGON, County of

ss.

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 be-

half 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:

Dorothy M. Lynch

5303 Bryant  
Klamath Falls, OR 97603

GRANTOR'S NAME AND ADDRESS

Ernest C. Brace & Nancy J. Brace

5303 Bryant  
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

ss.

I certify that the within instru-

ment 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

SPACE RESERVED  
FOR  
RECORDER'S USE

- 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. 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. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
5. Reservations and restrictions as contained in plat dedication, to wit:  
"We do for ourselves, our heirs and assigns hereby dedicate, donate, and convey to the public for public use forever the roads, irrigation laterals, underground irrigation system and Lot 66 for park subject to the setback lines as shown on annexed plat and an easement over all lots for future sewers or utilities along the back line of all lots."
6. Reservations, restrictions, and easement, including the terms and provisions thereof, as contained in instrument wherein Harvey C. Marten, et ux, et al is grantor and David C. Gregg, et ux is grantee, recorded January 14, 1947, in Volume 201, at page 117, Microfilm Records of Klamath County, Oregon, to wit:  
"Principal building shall be single family dwellings with a floor footage or not less than 650 floor feet, temporary structures and occupancy of same for living quarters shall not be permitted; house shall be of standard construction with floor plan and designs meeting with grantors approval; no buildings shall be located nearer to the front tract line than 5 feet. The side line restriction shall not apply to garages or other buildings in the rear; subject however, to an easement for ditches and pipelines to convey water for irrigation and domestic use for benefit or property owners. Said ditches and pipelines would follow as near as possible property lines; animals shall be restricted to household pets. Fowls limited to 150."
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: January 18, 1985  
Recorded: January 18, 1985  
Volume: M85, page 1093, Microfilm Records of Klamath County, Oregon  
Amount: \$30,000.00  
Grantor: Dorothy M. Lynch  
Trustee: Mountain Title Co., Inc.  
Beneficiary: Linda Johnson

The Grantees named on the reverse side of this deed hereby agree to assume and pay in full the above described Trust Deed and further agree to hold the Grantors harmless therefrom.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 10th day  
of September A.D., 19 85 at 8:41 o'clock A M., and duly recorded in Vol. M85  
of Deeds on Page 14541

FEE \$9.00

Evelyn Biehn, County Clerk  
By *Pam Smith*