

57352

## WARRANTY DEED

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THIS INDENTURE WITNESSETH, That WASHBURN ENTERPRISES, INC., an Oregon corporation, herein called "grantor", in consideration of TWENTY-SEVEN THOUSAND SIX HUNDRED AND NO/100 DOLLARS to it paid, has bargained and sold and by these presents does grant, bargain, sell and convey to NORMAN J. DUFFY and DARLENE E. DUFFY, husband and wife, herein called "grantees", their heirs and assigns forever, the following-described premises, situated in Klamath County, State of Oregon:

86 JUN 17 PM 2 26  
A tract of land being in the most westerly 320 feet of Lot 1, Block 5, Tract 1080, WASHBURN PARK, a duly recorded plat, more particularly described as follows: Beginning at the SW corner of said Lot 1; thence N. 00°04'50" E. along the West line of said Lot 1, 115.01 feet; thence S. 89°25'10" E. 320.00 feet; thence S. 00°04'50" W. 115.01 feet to the South line of said Lot 1; thence N. 89°25'10" W. 320.00 feet to the point of beginning.  
SUBJECT TO: (1) 1975-76 real property taxes which are now a lien but not yet due and payable. (2) Rules, regulations and assessments of South Suburban Sanitary District,

together with all tenements, hereditaments and appurtenances hereunto belonging or appertaining, and all estate, right, title and interest in and to the same.

This grant is made subject to the following conditions and restrictions: (a) Grantees, and any one claiming by, through or under grantees, shall not cause or permit any permanent building, structure or other obstruction, other than signs, gasoline pumps or similar service facilities, to be located or placed on the westerly 100 feet of said parcel parallel with Washburn Way. Said 100-foot strip shall be maintained in such manner as to permit vehicular traffic to pass on either side of such permitted service facilities in the most direct northerly and southerly direction. (b) Said 100-foot strip shall be reserved for the use of the owners and occupants of the above-described property and the owners and occupants of adjoining properties bordering on Washburn Way upon which similar conditions and restrictions are imposed for the use and enjoyment of the owners and occupants, their customers, employees and invitees, for parking of automobiles and access to and egress from said parcels. (c) Grantees, in consideration of the reservation or granting of similar conditions and restrictions upon adjoining properties,

agree to maintain said 100-foot strip in a safe and suitable condition for the uses and purposes herein recited. (d) The foregoing reservation and conditions are deemed to be appurtenant to the parcel herein conveyed for the use and benefit of the owners and occupants, their employees, customers and invitees, of the subject property and the owners and occupants, their customers, employees and invitees, of adjoining properties similarly restricted.

TO HAVE AND TO HOLD SAID PREMISES unto grantees, their heirs and assigns forever. Said grantor does covenant to and with said grantees, their heirs and assigns, that it is the owner of said premises, being lawfully seized in fee simple thereof; that said premises are free from all encumbrances, except as stated above; and that it and its successors and representatives will warrant and defend the same from all lawful claims whatsoever.

The true and actual consideration for this transfer is \$27,600.00.

IN WITNESS WHEREOF, WASHBURN ENTERPRISES, INC., pursuant to a resolution of its board of directors, has caused these presents to be signed by its President and Secretary this 30<sup>th</sup> day of September, 1975.

WASHBURN ENTERPRISES, INC.

By Dorman A. Turner Pres  
By Jewell Huston Sec

STATE OF OREGON }

County of KLAMATH }

ss. September 30, 1975

Personally appeared DORMAN A. TURNER and JEWELL HUSTON, who, being first duly sworn, did say that they are the President and Secretary, respectively, of WASHBURN ENTERPRISES, INC., an Oregon corporation, and that the foregoing Deed was signed in behalf of said corporation by authority of its board of directors; and they acknowledged said Deed to be its voluntary act and deed.

Before me:

Oliver Wilson  
NOTARY PUBLIC FOR OREGON  
My commission expires April 8, 1976

SEND TAX STATEMENTS TO:  
NORMAN J. and DARLENE E. DUFFY  
P.O. Box 848  
Klamath Falls, Oregon 97601

Return To:  
Same as Above

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

on this 17th day of Jan. A.D. 19 76  
at 2:26 o'clock P.M. and duly recorded  
in Vol 486 of Deeds Page 303  
Evelyn Blain, County Clerk  
By Pam Smith

(Warranty Deed - 2)

Fee, \$9.00

Deputy