

KNOW ALL MEN BY THESE PRESENTS, That ROBERT W. WEST and GWENDOLYN F. WEST, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by SCOTT K. BIGBY and JANINE E. BIGBY, 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:

SEE LEGAL DESCRIPTION AS IT APPEARS ON THE REVERSE OF THIS DEED.

MOUNTAIN TITLE COMPANY

"This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses."

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 \$ 53,500.00

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which) (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 June, 1986; 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)

Robert W. West
Robert W. West

Gwendolyn F. West
Gwendolyn F. West

STATE OF OREGON,)
County of Klamath) ss.
6/9, 1986

STATE OF OREGON, County of _____) ss.
_____, 19____

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 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:

Personally appeared the above named
Robert W. West & Gwendolyn F. West

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

Before me:
Barbara Spencer
Notary Public for Oregon
My commission expires: 8/16/88

Robert W. West & Gwendolyn F. West

GRANTOR'S NAME AND ADDRESS

SCOTT K. BIGBY & JANINE E. BIGBY
4350 Barry Ave
Klamath Falls OR 97601

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,)

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/reel number _____ Record of Deeds of said county.

Witness my hand and seal of County affixed.

By _____ Recording Officer
_____, Deputy

SPACE RESERVED
FOR
RECORDER'S USE

Portion of Lots 2 and 3, Block 2, of FIRST ADDITION TO 'TOMATEE HOMES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, said portion being more particularly described as follows:

Beginning at the most Easterly corner of Lot 3 in Block 2 of FIRST ADDITION TO TOMATEE HOMES, thence South 47° 42' West 10.00 feet along the Southeastly line of said Lot 3 to an iron pin marking the true point of beginning; thence South 47° 42' West 87.40 feet continuing along the Southeastly line of said Lot 3 to the angle therein; thence West 31.09 feet along the South line of said plat to a point marked by an iron pin; thence North 18° 27' 40" West 128.75 feet to a point on the southerly margin of Barry Avenue marked by an iron pin; thence along the arc of a curve to the left having a radius of 125.00 feet to a point which bears North 65° 15' 34" East 61.21 feet from the last described point; thence South 42° 18' East 120.22 feet to the true point of beginning.

SUBJECT TO:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
3. Restrictions, but omitting restrictions, if any, based on race, color or national origin, as shown on recorded plat of First Addition to Tomatee Homes:

"Subject to a building setback as shown along all streets, a 7.5 foot side line setback along all lots, and an easement along the back of all lots as shown on the annexed plat for present and future public utilities, drainage and perpetual right of way for ditches to convey irrigation water, said easement to provide ingress and egress for construction and maintenance of such utilities with no structures being permitted thereon and any plantings being placed thereon at the risk of the owner."

4. A 20 foot building setback line as shown on dedicated plat.
5. A 10 foot utility easement and irrigation easement along rear lot line as shown on dedicated plat.

6. Covenants, conditions and restrictions, but omitting restrictions, if any including the terms and provisions thereof, imposed by instrument, 332, page 660, Deed Records of Klamath County, Oregon.

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 22, 1980. Recorded: September 22, 1980. Volume: M80, page 18094, Microfilm Records of Klamath County, Oregon.

Grantor: Robert and Gwendolyn West
Trustee: Small Business Administration
Beneficiary: Administrator of the Small Business Administration

8. 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 22, 1980. Recorded: September 22, 1980. Volume: M80, page 18099, Microfilm Records of Klamath County, Oregon.

Grantor: Robert W. West and Gwendolyn F. West, husband and wife
Trustee: Mountain Title Company
Beneficiary: Robert E. Fitzgerald and Beverly G. Fitzgerald, husband and wife

The Grantee appearing on the reverse of this deed does NOT agree to assume said Trust Deed and Grantor will hold Grantee harmless therefrom.

STATE OF OREGON: COUNTY OF KLAMATH:
Filed for record at request of June of A.D. 19 86 at 1:59 o'clock P.M., and duly recorded in Vol. 12th day of June 1986 on Page 10297 By Evelyn Blehn, County Clerk