

53228

WARRANTY DEED

MTC-10580-P

Vol. 1480

Page 115

KNOW ALL MEN BY THESE PRESENTS, That

KENNETH R. MOORE and JANE M. MOORE,

husband and wife

do hereby called the grantor, for the consideration hereinafter stated, to grantor paid by FORREST M. BREITHAUP and MARGUERITE F. BREITHAUP, 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:

Lot 6 in Block 5 of TRACT 1022, FOURTH ADDITION TO SUNSET VILLAGE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.



## 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 \$ 58,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole or 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 30th 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.

Kenneth R. Moore  
Kenneth R. Moore

Jane M. Moore  
Jane M. Moore

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Klamath

6/30, 1986

STATE OF OREGON, County of

Personally appeared

Personally appeared the above named  
Kenneth R. Moore & Jane M. Moore

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)

KENNETH R. MOORE &amp; JANE M. MOORE

GRANTOR'S NAME AND ADDRESS

FORREST M. & MARGUERITE F. BREITHAUP  
3821 Grenada Way  
Klamath Falls, OR 97603

GRANTEE'S NAME AND ADDRESS

GRANTEE

NAME, ADDRESS, ZIP

GRANTEE

NAME, ADDRESS, ZIP

STATE OF OREGON,

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/roll number

Record of Deeds of said county. Witness my hand and seal of County affixed.

By Recording Officer Deputy

SUBJECT TO:

11535

1. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
3. Reservations, easements and restrictions as contained in plat dedication, to wit:  
"(1) Easements for future public utilities, irrigation and drainage as shown on the annexed plat, easements to provide ingress and egress for construction and maintenance of said utilities, and drainage; (2) No changes will be made in the present irrigation and/or drain ditches without the consent of the Enterprise Irrigation District, its successors or assigns; (3) Building setback lines as shown on the annexed plat; (4) All easements and reservations of record and additional restrictions as shown in any recorded protective covenants 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 Enterprise Irrigation District, its successors or assigns, and the United States, person, firm or corporation operating the irrigation works of the Enterprise 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 Enterprise Irrigation District shall be limited to the delivery of water at established outlets; (4) The lands will always be subject to irrigation assessments whether or not irrigation is furnished or used."
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 June 7, 1971 in Volume M71, page 5502, Microfilm Records of Klamath County, Oregon.
5. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Sunset Village Lighting District.
6. Subject to a 25 foot building setback from Grenada Way, as shown on dedicated plat.
7. Subject to an 8 foot easement along East lot line and a 5 foot easement along the South lot line as shown on dedicated plat.

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

on this 1st day of July A.D., 19 86  
at 2:25 o'clock P M. and duly recorded  
in Vol. M86 of Deeds Page 11534  
Evelyn Biehn, County Clerk  
By [Signature]  
Fee, \$14.00 Deputy.