

63556

WARRANTY DEED

MTC-10749-P

Vol. 1186 Page 12145

KNOW ALL MEN BY THESE PRESENTS, That DAVID DWIGHT WILCOX, Jr. & SHARON DEE WILCOX, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by WILLIAM J. MACBEAN and CHERYL L. MACBEAN, 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:

Lot 15 in Block 2 of ROLLING HILLS, TRACT 1099, 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 \$ 80,000.00

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole 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 10th day of July, 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)

David Dwight Wilcox, Jr.

Sharon Dee Wilcox

STATE OF OREGON,

County of Klamath

7/10, 1986

STATE OF OREGON, County of ) ss.

Personally appeared

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)

(OFFICIAL SEAL)

Before me:

Notary Public for Oregon

My commission expires: 8/16/88

Notary Public for Oregon

My commission expires:

DAVID DWIGHT WILCOX, JR. & SHARON DEE WILCOX

GRANTOR'S NAME AND ADDRESS

WILLIAM J. & CHERYL L. MACBEAN  
6615 Appaloosa Ct.  
Klamath Falls OR 97603

GRANTEE'S NAME AND ADDRESS

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

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.

SPACE RESERVED FOR RECORDER'S USE

Recording Officer  
Deputy

By

SUBJECT TO:

12146

1. Taxes for the fiscal year 1986-1987, a lien, not yet due and payable.
2. Reservations and restrictions, including the terms and provisions thereof, contained in Deed from the State of Oregon to Chas S. Moore, dated January 18, 1909, recorded January 30, 1909 in Book 25 at page 472, Deed Records of Klamath County, Oregon, as follows:  
"Subject to right of way for ditches, canals and reservoir sites for irrigation purposes constructed by the authority of the United States."

3. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Basin Improvement District.

Subject to the terms and provisions of that certain instrument recorded July 24, 1970 in Volume M70, page 6187, as "Notice to Persons Intending to Plat Lands Within the Klamath Basin Improvement District."

4. Restrictions and easements as contained in plat dedication, to wit:  
"(1) Building setback lines of 75 feet from the centerline of the street which the lot fronts and 50 feet from the centerline of the street on which the lot sides. (2) Public utilities easements 16 feet in width centered on all side and back lot lines. (3) One foot reserve strips (street plugs) as shown on the annexed plat to be dedicated to Klamath County and released by resolution of the County Commissioners when the adjoining property is properly developed. (4) All sanitary facilities subject to the approval of the Oregon Department of Environmental Quality. (5) Access to Reeder Road, a County road is hereby vacated for Lot 5, Block 1 and Lot 7, Block 2. (6) Access to the proposed road adjacent to the North boundary of said "ROLLING HILLS" is hereby vacated for Lots 1, 9, 10, 11, 13, 14 and 15, Block 1, and all of Block 3. (7) Drainage easements as shown on the annexed plat."

5. 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 October 16, 1974 in Volume M74, page 13496, and amended by instrument recorded October 1, 1975 in Volume M75, page 11919, Microfilm Records of Klamath County, Oregon.

6. Articles of Association, imposed by instrument, including the terms and provisions thereof, recorded October 15, 1974 in Volume M74, page 13469, Microfilm Records of Klamath County, Oregon.

7. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Rolling Hills Road and Drainage Association.

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: January 19, 1979

Recorded: January 19, 1979

Volume: M79, page 1732, Microfilm Records of Klamath County, Oregon

Amount: \$59,300.00

Grantor: Dale W. Haper and Cathy J. Haper, husband and wife

Trustee: William Sisemore

Beneficiary: Klamath First Federal Savings and Loan Association

The Grantees appearing on the reverse of this deed DO NOT agree to to assume said Trust Deed, and sellers herein further agree to hold buyers harmless therefrom.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
of \_\_\_\_\_ July \_\_\_\_\_ A.D., 19 \_\_\_\_\_ 86 at \_\_\_\_\_ 8:31 \_\_\_\_\_ o'clock \_\_\_\_\_ A.M., and duly recorded in Vol. \_\_\_\_\_ M86  
of \_\_\_\_\_ Deeds \_\_\_\_\_ on Page \_\_\_\_\_ 12145

FEE \$14.00

Evelyn Blehn County Clerk  
By \_\_\_\_\_