

MOUNTAIN TITLE COMPANY

64074

WARRANTY DEED Vol. 110736 K. M. 86 Page 13123

KNOW ALL MEN BY THESE PRESENTS, That EUGENE C. FERGUSON and STELLA L. FERGUSON, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by GREGORY J. MC MACKIN and HEATHER R. MC MACKIN, 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 10, Block 5 in TRACT 1145 of NOB HILL, a resubdivision of portions of NOB HILL, IRVINGTON HEIGHTS, MOUNTAIN VIEW ADDITION, AND ELDORADO HEIGHTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

- continued on the reverse side 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 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 \$ 90,000.00. 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 25th day of July, 19 86; 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)

EUGENE C. FERGUSON

STELLA L. FERGUSON

STATE OF OREGON,)
County of Klamath,) ss.
July 25, 19 86.

Personally appeared the above named EUGENE C. FERGUSON and STELLA L. FERGUSON, and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11/16/87

STATE OF OREGON, County of) ss.
19 86.

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

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:

Eugene C. Ferguson & Stella L. Ferguson
84 Eulalona Ct.
Klamath Falls, OR 97601
GRANTOR'S NAME AND ADDRESS

Gregory J. McMackin & Heather R. McMackin
84 Eulalona Ct.
Klamath Falls, OR 97601
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,) ss.
County of)

I certify that the within instrument was received for record on the day of 19 86,

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

- continued from the reverse side of this deed -

13124

SUBJECT TO:

1. Taxes for the 1986-1987 fiscal year, a lien, not yet due and payable.
2. 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 in Volume M78, page 7560 and amended by instrument recorded in Volume M80, page 15313, Microfilm Records of Klamath County, Oregon.
3. Reservations and restrictions contained in dedication of Tract 1145, NOB HILL, as follows:
"hereby dedicate, donate, and convey to the public use forever, all streets, said plat being subject to: (1) Public utilities easements as shown on the annexed map, said easements are dedicated to the City of Klamath Falls for the use and regulation thereof; (2) All applicable zoning ordinances and recorded restrictive covenants; (3) One foot street plugs as shown on the annexed plat to be dedicated to the City of Klamath Falls and later released by resolution of the Common Council when the adjoining property is properly developed."
4. A 16 foot utility easement along the rear lot lines, as shown on the dedicated plat.
5. Reservations and restriction in Deed from Ownes Development Co., an Oregon corporation, dated June 2, 1978, recorded June 5, 1978, in Volume M78, page 11889, Microfilm Records of Klamath County, Oregon, to wit:
"Also subject to slope easements adjacent to any and all roads, streets, and rights of way which are determined to be necessary by Hammond Engineering or Grantor's successors engineer, if any, and contained in a declaration thereof filed and recorded in the same manner as a Deed on or before December 1, 1978."
6. Note and Mortgage, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein,
Dated: July 17, 1980
Recorded: July 17, 1980
Volume: M80, page 13342, Microfilm Records of Klamath County, Oregon
Rerecorded: April 6, 1982
Volume: M82, page 4236, Microfilm Records of Klamath County, Oregon
Amount: \$50,000.00
Mortgagor: Eugene C. Ferguson and Stella L. Ferguson, husband and wife
Mortgagee: State of Oregon, represented and acting by the Director of Veterans' Affairs (L-P42493)

The Grantees named on the reverse side of this deed agree to assume and pay in full the above described Mortgage.

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

on this 25th day of July A.D. 19 86
at 3:34 o'clock P. M. and duly recorded
in Vol. M86 of Deeds Page 13123
Evelyn Biehn, County Clerk
By [Signature]

Deputy.

Fee, \$14.00