

MY-10946

OK

65377

WARRANTY DEED

Vol. 1180 Page 15614

KNOW ALL MEN BY THESE PRESENTS, That ARTHUR W. DUFALT and SHERRY L. DUFALT, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DENNIS J. COSTELLO and JANELLE D. COSTELLO, 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 11, Block 2, TRACT NO. 1121, FIRST ADDITION TO KENO HILLSIDE ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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 those stated on the reverse of this document and those apparent upon the land as of the date of this conveyance.

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 \$ 75,750.00. 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 29th day of August, 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.

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.

STATE OF OREGON,

County of Klamath

August 29

1986

Personally appeared the above named

Arthur W. DuFault and

Sherry L. DuFault

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

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 10-13-90

STATE OF OREGON, County of

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:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

(If executed by a corporation, affix corporate seal)

Arthur W. & Sherry L. DuFault

GRANTOR'S NAME AND ADDRESS

Dennis J. & Janell D. Costello

GRANTEE'S NAME AND ADDRESS

After recording return to:

KEESLER 3146 1/2 MTC

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 1986,

at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME:

TITLE

By Deputy

Subject to:

15615

1. Taxes for the fiscal year 1986-1987, a lien, not yet due and payable.
2. Grant of Right of Way, including the terms and provisions thereof, in favor of The California Oregon Power Company, for transmission and distribution of electricity, recorded in Volume 72, page 48, Records of Klamath County, Oregon.
3. Release of damages, including the terms and provisions thereof, to California Oregon Power Company, a corporation, recorded March 2, 1932 in Book 97, page 83, Deed Records of Klamath County, Oregon.
4. Grant of Right of Way, including the terms and provisions thereof, in favor of Pacific Power & Light Company, a Maine Corporation, for 3 anchors and guys recorded in Volume M66, page 604, Microfilm Records of Klamath County, Oregon.
5. Reservations and restrictions as contained in plat dedication, to wit:
"Subject to: (1) Public utilities easements 16 feet in width centered on all side and back lot lines, (2) All sanitary facilities subject to the approval of the Oregon Department of Environmental Quality, (3) Building setback lines of 15 feet from the centerline of the street on which the lot fronts and 50 feet from the centerline of the street on which the lot sides, (4) All easements and reservations of record."
6. Declaration of Protective Covenants and Restrictions, including the terms and provisions thereof, but omitting restrictions, if any, based on race, color, religion or national origin, recorded in Volume M77, page 10487, Microfilm Records of Klamath County, Oregon.
7. Subject to required driveway access between lots as shown on dedicated plat.
8. Reservations or exceptions in patents or in Acts authorizing the issuance thereof.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ day
of _____ August _____ A.D., 19 _____ at _____ 11:59 o'clock _____ A. M., and duly recorded in Vol. _____ M86
of _____ Deeds _____ on Page _____ 15614
FEE \$14.00 Evelyn Biehn, County Clerk
By _____