

67793

WARRANTY DEED

MTC-17219-P

Vol 199

Page

20023

KNOW ALL MEN BY THESE PRESENTS, That

CHARLES EHM, III

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by GREGORY P. KOONCE and LINDA A. CARTWRIGHT, not as tenants in common, but with the right of survivorship 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:

Lots 5, 6 and 7, in OUSE KILA HOME SITES NO. 1, Klamath County, Oregon, 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 \$ 60,000.00

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 35.030.)

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 27<sup>th</sup> day of October, 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.

**S.O. KISH**  
NOTARY PUBLIC - CALIFORNIA  
San Francisco County  
My Commission Expires April 10, 1989  
159 Mission St., San Francisco, CA 94101  
STATE OF CALIFORNIA

County of San Francisco  
SS.  
10-27, 1986

Personally appeared the above named  
**Charles Ehm, III**

and acknowledged the foregoing instrument as his voluntary act and deed.

Before me, **S.O. Kish**  
(OFFICIAL SEAL) Notary Public for Oregon California  
My commission expires: **Apr. 10, 1989**

Charles Ehm III

GRANTOR'S NAME AND ADDRESS  
Gregory P. Koonce & Linda A. Cartwright  
1949 Lakeshore Dr.  
Klamath Falls, OR 97601

After recording return to:

GRANTEE

Until a change is requested all tax statements shall be sent to the following address.  
GRANTEE

GRANTEE

NAME, ADDRESS, ZIP

**Charles Ehm, III**  
Charles Ehm, III  
STATE OF OREGON, County of \_\_\_\_\_, 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: \_\_\_\_\_

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.

By \_\_\_\_\_ Recording Officer  
Deputy

MOUNTAIN TITLE COMPANY

## SUBJECT TO:

1. Taxes for the fiscal year 1986-1987, due and payable.
2. Regulations, including levies, liens, assessments, rights of way and easements of Yaina Community Water District.
3. Easement of overflowing and/or uncovering in the operation of any dam and/or regulation and control of waters of the Upper Klamath Lake as conveyed to the California Oregon Power Company by instrument recorded September 9, 1925 in Volume 68 at page 277 and 278.
4. Easement for pole line and incidentals as conveyed to the California Oregon Power Company by instrument recorded September 9, 1925 in Volume 68 at pages 277 and 279. (General location)
5. Easement for the transmission and distribution of electricity and incidentals as conveyed to the California Oregon Power Company by instrument recorded September 9, 1925 in Volume 68 at page 280 and 281. (General location)
6. Agreement and release, including the terms and provisions thereof, given by Rosa N. McCornack, et al, to California Oregon Power Company, a California corporation, and the California Oregon Power Company, a California corporation, dated September 26, 1936, recorded September 28, 1935 in Volume 105 of Deeds, pages 226 and 227, records of Klamath County, Oregon.
7. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, as contained in Deed recorded June 23, 1939 in Volume 123, page 23; in Deed recorded January 22, 1946 in Volume 184, page 305 and in Deed recorded October 31, 1946 in Volume 197, page 491, to wit:

"Grantees for themselves their heirs and assigns, agree to and with grantors, their heirs and assigns, that no dwelling costing less than \$2500.00 shall ever be erected upon the property conveyed by this Deed; that said dwelling house shall be of a neat and attractive appearance, and that all out-buildings erected on said property shall be of like structure and appearance with the buildings to which they are appurtenant; that all waste from said dwelling or dwellings constructed on said property shall be taken care of by septic tank connected to cesspool until such time as it is possible to connect with a sewer system; that no hogs or pigeons will be kept on said property and that other fowl and animals kept thereon will be within property fences on said property so as not to affect the rights of adjacent property owners."

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: August 16, 1976

Recorded: August 30, 1976

Volume: M76, page 13532, Microfilm Records of Klamath County, Oregon

Amount: \$40,000.00

Grantor: Richard A. Lindgren and Miriam L. Lindgren, husband and wife

Trustee: Mountain Title Company

Beneficiary: Peoples Mortgage Company, a Washington corporation

THE GRANTEES APPEARING ON THE REVERSE OF THIS DEED AGREE TO ASSUME SAID TRUST DEED AND TO PAY SAID TRUST DEED IN FULL, AND FURTHER AGREE TO HOLD SELLERS HARMLESS THEREFROM.

WITNESSES TO STATE

STATE OF OREGON, ss.  
County of Klamath

Filed for record at request of:

on this 5th day of Nov. A.D., 19 86  
at 9:23 o'clock A. M. and duly recorded  
in Vol. M86 of Deeds Page 20023

Evelyn Biehn, County Clerk

By

Deputy.

Fee, \$14.00