

OK

69897

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That JOHN H. SMITH and NANCY G. SMITH

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by LEO E. TORBA and PATRICIA A. TORBA, 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 40, Lake Shore Gardens, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Subject to:

- 1. Liens and assessments of Klamath Project and Lakeshore Gardens Drainage District, and regulations, easements, contracts, water and irrigation rights in connection therewith.
- 2. Reservations and restrictions, including the terms and provisions thereof, recorded May 20, 1929 in Volume 87 page 234, Deed records of Klamath County, Oregon.
- 3. Agreement, including the terms and provisions thereof, recorded May 15, 1937 in Volume 109 page 315, Deed records of Klamath County, Oregon.
- 4. Trust Deed, including the terms and provisions thereof, recorded July 9, 1976, in Volume M-76 page 10447, Mortgage records of Klamath County, Oregon, in favor of Klamath First Federal Savings and Loan Association, which Trust Deed the grantees herein assume and agree to pay according to the terms contained therein.

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 as set forth hereinabove

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 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 31st day of December, 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.

John H. Smith

Nancy G. Smith

STATE OF OREGON, County of Klamath, December 31, 1986

STATE OF OREGON, County of Klamath, 1986

Personally appeared the above named John H. Smith and Nancy G. Smith

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

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

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: 6-21-88

Notary Public for Oregon, My commission expires:

(If executed by a corporation, affix corporate seal)

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS After recording return to: Mr. + Mrs. Leo E. Torba, 1423 Lakeshore Drive, Klamath Falls, Oregon 97601

Until a change is requested all tax statements shall be sent to the following address. Mr. + Mrs. Leo E. Torba, 1423 Lakeshore Drive, Klamath Falls, Oregon 97601

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of Klamath

I certify that the within instrument was received for record on the 31st day of December, 1986, at 11:15 o'clock A.M., and recorded in book/reel/volume No. M86 on page 24193 or as fee/file/instrument/microfilm/reception No. 69897, Record of Deeds of said county.

Witness my hand and seal of County affixed.

Evelyn Biehm, County Clerk

Fee: \$10.00

By Ann Smith, Deputy

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