

82043

## WARRANTY DEED - TENANTS BY ENTIRETY

KNOW ALL MEN BY THESE PRESENTS, That NANCY J. BENEDICT, hereinafter called the Grantor, for the consideration hereinafter stated to the grantor paid by RANDALL R. POPP and TERRI LEE POPP, husband and wife, hereinafter called the Grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

A parcel of land situated in Block 24 of ELDORADO HEIGHTS ADDITION to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at the iron pipe marking the Northeast corner of Block 24, ELDORADO HEIGHTS ADDITION to the City of Klamath Falls; thence along the Southerly right of way line of Euclid Avenue, North 81 degrees 42' West, 116.70 feet; thence South 8 degrees 18' West, 70.84 feet; thence South 89 degrees 42' East, 125.41 feet to the West right of way of said Tiffany Street; thence along said right of way of said Tiffany Street, North 0 degrees 18' East 54.00 feet to the point of beginning.

Subject to the following:

1. Reservations and restrictions as shown on plat dedication of Eldorado Heights, "Imposed for the benefit of the dedicatory and purchasers from the dedicatory, its and their successors in interest:

- (1) Not more than one dwelling house shall be constructed on any lot in Eldorado Heights which structure shall be used for residential purposes only.
- (2) No building shall be constructed closer than 20 feet to the street lines nor closer than 4 feet to the other lot lines.
- (3) Deleted.....
- (4) Easement is reserved along side and back lines of lots for the construction and maintenance of services such as sewers, water lines, telephone and power lines.
- (5) The cost of any dwelling house in Eldorado Heights shall not be less than the amount shown in the following schedule: \$1000.00 minimum applies to dwellings to be constructed in Block 26. \$1500.00 minimum applies to dwellings to be constructed in Blocks 1 to 6 inclusive and in the Northerly portion of Blocks 7, 8 and 9. \$2000.00 minimum applies to dwelling to be constructed in Blocks 19, 20, 21 and 22 and in the Southerly portion of Blocks 10, 11 and 18. \$3000.00 minimum shall apply to dwellings to be constructed in Blocks 12, 13, 14, 15, 16, 17, 23, 24 and 25 and the Northerly portion of Blocks 10, 11 and 18 and the Southerly portion of Blocks 7, 8 and 9."

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And Grantor hereby covenants to and with grantees and the heirs of the survivor and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except those assumed by Grantee above and those imposed by the Grantee and that Grantor will

warrant and for ever 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 \$55,000.00. 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.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. A buyer should check with the appropriate city or county planning department to verify approved uses.

In Witness Whereof, the grantor has executed this instrument this 6th day of February, 1984.

Nancy J. Benedict  
NANCY J. BENEDICT

STATE OF OREGON )  
 ) ss.  
County of Klamath )

On this 6th day of February, 1984, personally appeared the above named Nancy J. Benedict Company and acknowledged the foregoing instrument to be her voluntary act and deed.

J. L. Stelle  
NOTARY PUBLIC for Oregon  
My Commission expires: 7/13/85

Grantor's name and address:  
Nancy J. Benedict

Grantee's name and address:  
Randall R. Popp  
Terri Lee Popp  
25264 Via Sistine  
Valencia, CA 91355

After recording return to:  
Randall R. Popp  
Terri Lee Popp  
25264 Via Sistine  
Valencia, CA 91355

Mail tax statements to:  
Randall R. Popp  
Terri Lee Popp  
25264 Via Sistine  
Valencia, CA 91355

STATE OF OREGON )  
 ) ss.  
County of Klamath )

I certify that the within instrument was received for record on the 30th day of November, 1987, at 3:39 o'clock P.M., and recorded in book/reel/volume No. M87 on page 21497 or as document/fee/file/ instrument/microfilm No. 82043 Record of Deeds of said county.

Evelyn Biehn, Klamath County Clerk  
Name Title  
By Ann Smith

Fee: \$15.00