

85120

MTC 1945-1 WARRANTY DEED

Vol. M88 Page 3390

KNOW ALL MEN BY THESE PRESENTS, That

CARLYLE B. WHITMAN

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

BILLY H. MC FADYEN

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:

The Northerly 35 feet of Lot 5, Block 46, FIRST ADDITION TO KLAMATH FALLS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Klamath County Tax Account #3809-32AE-10806.

SUBJECT TO: Existing Real Estate Contract recorded March 12, 1979, in Volume M79, page 5520, Microfilm Records of Klamath County, Oregon, between Brandsness Enterprises, Inc., an Oregon corporation, as lender and Tom Powley, Eldon Powley, and Steve Powley, who subsequently assigned to Carlyle B. Whitman, as Vendee. The above described Grantee agrees to assume and pay Contributions of the date 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 all those of record 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 \$ 30,000.00.

However, the actual consideration consists of or includes other property of value given or promised which is the whole consideration (indicate which). (The center 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 11th day of March, 1988, 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)

CARLYLE B. WHITMAN

STATE OF ~~TEXAS~~ TEXASCounty of Bryan ss.

March 11, 1988

Personally appeared the above named

CARLYLE B. WHITMAN

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

(OFFICIAL SEAL)  
Notary Public for Oregon  
My commission expires: 11-8-88

STATE OF OREGON, County of \_\_\_\_\_ ss.

Personally appeared \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_ 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:

CARLYLE B. WHITMAN  
355 Obregon  
San Antonio, TX 78207

GRANTOR'S NAME AND ADDRESS

BILLY H. MC FADYEN  
P.O. Box 511  
Dorris, CA 96023

GRANTEE'S NAME AND ADDRESS

After recording return to:

MOUNTAIN TITLE COMPANY OF KLAMATH COUNTY  
407 Main Street  
Klamath Falls, OR 97601

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,

County of Klamath ss.

I certify that the within instrument was received for record on the 11th day of March, 1988, at 12:15 o'clock PM., and recorded in book M88 on page 3390 or as file/reel number 85120.

Record of Deeds of said county.

Witness my hand and seal of County affixed.

Evelyn Blehn, County Clerk

By Ann Smith Recording Officer  
Deputy

Fee: \$10.00

MOUNTAIN TITLE COMPANY