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K-40648

EVENS-NESS LAW PUBLISHING CO., PORTLAND, OR. 97204

WARRANTY DEED

Vol. 288 Page 13489

KNOW ALL MEN BY THESE PRESENTS, That WASHBURN ENTERPRISES, INC., an Oregon corporation, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by HOUSE OF RENTALS, a co-partnership consisting of JESSIE H. HOUSE, MARY H. HOUSE, and RONALD B. HOUSE, 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:

A tract of land situated in Lots 4 and 5, Block 6, TRACT 1080-WASHBURN PARK, a duly recorded subdivision, more particularly described as follows: Begin, along the East corner common to said Lots 4 and 5; thence S. 00°04'50" W., along the westerly line of Washburn Way, 125.71 feet; thence West 249.61 feet; thence N. 00°09'45" E. 175.00 feet; thence East 249.36 feet to said westerly line of Washburn Way; thence S. 00°04'50" W. 51.29 feet to the point of beginning, containing 1.00 acres (43,600 square feet) with bearings based on the subdivision plat of said Tract 1080-Washburn Park. SUBJECT TO: (1) Rules, regulations and assessments of South Suburban Sanitary District. (2) Easement for transmission line, including the terms and provisions thereof, given by Samuel S. Johnson, et ux, to Pacific Power & Light Company, a corporation, dated and recorded August 22, 1966, in Volume M-65, Page 8563, Deed Records of Klamath County, Oregon. (3) Right of way easement, including the terms and provisions thereof, given by (CONTINUED ON REVERSE)

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 stated herein,

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 whatsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$37,000.00. However, the actual consideration consists of other property or value given or promised which is the whole of the consideration, (indicate which) 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 15th day of February, 1978; if a corporate grantor, it has caused its name to be signed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

WASHBURN ENTERPRISES, INC.

By *Harman J. Smith*
By *Jewell Huston*

STATE OF OREGON,

County of _____, 19 ____

STATE OF OREGON, County of Klamath, 1978

Personally appeared DORMAN A. TURNER and JEWELL HUSTON, 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 WASHBURN ENTERPRISES, INC.

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: *Harman J. Smith* (OFFICIAL SEAL)

Notary Public for Oregon
My commission expires: 12-21-78

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon
My commission expires:

Washburn Enterprises, Inc.
P. O. Box 1886

Klamath Falls, Oregon
GRANTOR'S NAME AND ADDRESS

House of Rentals

GRANTEE'S NAME AND ADDRESS

House of Rentals

3198 South Sixth
Klamath Falls, Oregon 97603

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

HOUSE OF RENTALS
3198 South Sixth
Klamath Falls, Oregon 97603

STATE OF OREGON,

County of _____ ss.

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

SPACE RESERVED FOR RECORDER'S USE

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(EXCEPTIONS CONTINUED)

Harry R. Waggoner, et ux, to California Pacific Utilities Company, dated November 10, 1970, recorded November 30, 1970, in Volume N-70, Page 10618, Deed Records of Klamath County, Oregon. (4) Reservations and restrictions contained in the dedication of Washburn Park.

This grant is made subject to the following conditions and restrictions:
 (a) Grantee, and any one claiming by, through or under grantee, shall not cause or permit any permanent building, structure or other obstruction, other than signs, gasoline pumps or similar service facilities, to be placed or located on the easterly 70 feet of said parcel parallel with Washburn Way. Said 70-foot strip shall be maintained in such manner as to permit vehicular traffic to pass on either side of such permitted service facilities in the most direct northerly and southerly direction.
 (b) Said 70-foot strip shall be reserved for the use of the owners and occupants of the above-described property and the owners and occupants of adjoining properties bordering on Washburn Way upon which similar conditions and restrictions are imposed for the use and enjoyment of the owners and occupants, their customers, employees and invitees, for parking of automobiles and access to and egress from said parcels. (c) Grantee, in consideration of the reservation or granting of similar conditions and restrictions upon adjoining properties, agrees to maintain said 70-foot strip in a safe and suitable condition for the uses and purposes herein recited. (d) The foregoing reservation and conditions are deemed to be appurtenant to the parcel herein conveyed for the use and benefit of the owners and occupants, their employees, customers and invitees, of the subject property and the owners and occupants, their customers, employees and invitees, of the adjoining properties similarly restricted.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 19th day of Aug. A.D., 19 88 at 2:49 o'clock P.M., and duly recorded in Vol. M88 of Deeds on Page 13489

FEE \$13.00

Evelyn Biehn
 By Pauline Miller County Clerk