

WARRANTY DEED

(Statutory Form)

RODNEY B. ALLRED and BARBARA A. ALLRED, husband and wife,,
Grantors, convey and warrant to HERBERT R. CARY, Grantee, the
following real property free of encumbrances except as specif-
ically set forth below:

"Lot 10 and the Westerly $\frac{1}{2}$ of Lot 9, Block 46, HILLSIDE
ADDITION to the city of Klamath Falls, according to the
official plat thereof, on file in the office of the
County Clerk of Klamath County, Oregon."

"TOGETHER WITH a $\frac{1}{2}$ interest in a certain geothermal
well, property of Seller, located on Seller's real
property legally described as Lot 7, block 46, HILLSIDE
ADDITION to the City of Klamath Falls, subject to the
terms and provisions of a certain Well Use and Easement
Agreement of even date."

"ALSO TOGETHER WITH a perpetual non-exclusive easement
to install and maintain geothermal water lines from the
geothermal source located on Seller's Lot 7, and
proceeding from the geothermal source thereon located,
and proceeding along the most south-easterly property
line of Lots 8 and 9 of Block 46, HILLSIDE ADDITION,
subject to the terms and provisions of that certain
Well Use and Easement Agreement of even date."

"SUBJECT TO reservations and restrictions as shown in
Deed from Klamath Development Company, a corporation,
to J.B. Ferguson, et ux, dated march 7, 1927, recorded
March 11, 1927 in Book 70, page 351, Deed Records of
Klamath County, Oregon."

"ALSO SUBJECT TO restrictive covenant, including the
terms and provisions thereof recorded on November 15,
1968 in Volume M68, page 10219, Microfilm Records of
Klamath County, Oregon, to-wit:

Harold M. Rush for himself, his executors,
administrators and assigns, does hereby covenant and
agree to and with Marvin E. Reed and Frances M. Reed,
their heirs, executors, administrators, and assigns, to
refrain from erecting, causing or permitting to be
erected on Lots 9 and 10, Block 46, Hillside Addition,
or any part thereof, any building or structure which
shall rise above a line from the living room window
sill of the dwelling located on Lots 7 and 8, Block 46,
Hillside Addition and the sidewalk of the Armory
located at the corner of Main and Spring Streets,
Klamath Falls, Oregon. No trees, shrubs or fences of
any kind except those existing on Lots 9 and 10, Block
46, Hillside Addition at the date hereof, shall be
permitted to extend vertically to a greater height than
five feet above the level of the ground of Lots 9 and
10, Block 46, Hillside Addition as it presently
exists."

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING AND 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.

THE TRUE AND ACTUAL CONSIDERATION for this conveyance is \$ 15,506.70.

DATED this 5th day of January, 1988.

Rodney B. Allred
Rodney B. Allred

Barbara A. Allred
Barbara A. Allred

STATE OF WASHINGTON/County of Clark) ss.

THIS INSTRUMENT was acknowledged before me this 5th day of January, 1988, by RODNEY B. ALLRED. + Barbara A. Allred.

Ruth M. Losey
NOTARY PUBLIC FOR WASHINGTON
My Commission Expires: 7-17-1990

STATE OF WASHINGTON/County of _____) ss.

THIS INSTRUMENT was acknowledged before me this _____ day of _____, 1988, by BARBARA A. ALLRED.

NOTARY PUBLIC FOR WASHINGTON
My Commission Expires: _____

GRANTORS NAME AND ADDRESS:
Rodney B. & Barbara A. Allred
817 N.W. 104th St.
Vancouver, WA 98685

STATE OF OREGON)
) ss.
County of Klamath)

GRANTEES NAME AND ADDRESS:
Herbert R. Cary
2050 Auburn
Klamath Falls, OR 97601

I certify that the within instrument was received for record on the 16th day of Jan., 1989, at 2:32 o'clock P.M., and recorded in Book M89 on Page 860 or as File Reel Number 96101, Record of Deeds of said County.

AFTER RECORDING, RETURN TO:
Neal G. Buchanan
Attorney at Law
601 Main St., Suite 215
Klamath Falls, OR 97601
Until a Change is Requested,
Tax Statements Should be Sent To:
Herbert R. Cary
2050 Auburn
Klamath Falls, OR 97601

WITNESS my hand and seal of County affixed.

Evelyn Biehn, County Clerk
Recording Officer

By: Debra M. Mulendore
Deputy

Fee \$13.00