

4818

MTC 219/17-K

WARRANTY DEED

Vol. m89 Page 16661

KNOW ALL MEN BY THESE PRESENTS, That

NANCY I. TURIELLO and RUDOLPH T. TURIELLO, wife & husband

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

BRUCE P. YOST

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and and grantee's heirs, successors and assigns, the 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:

SEE ATTACHED LEGAL DESCRIPTION OF WHICH IS MADE A PART HEREOF BY THIS REFERENCE.

SUBJECT TO: Real Estate Contract, subject to the terms and provisions thereof, dated November 5, 1981, a memorandum of which was recorded November 5, 1981, in Volume M81, page 19322, Microfilm Records of Klamath County, Oregon, between Vernon Thomas DuBois and Alice J. DuBois, husband and wife, as Vendors and Nancy Turiello, as Vendee which the above named Grantor does not agree to assume nor pay and the Grantors named herein agree to hold Grantee harmless therefrom.

"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 lawfully seized in fee simple and the above granted premises, free from all encumbrances except all those of record and those apparent upon the land 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 \$ 34,000.00

~~However, the said grantor and grantee do hereby agree that the above stated consideration shall be paid to the grantor by the grantee in installments as follows: \$10,000.00 on the date of recording of this deed, \$10,000.00 on the date of the first anniversary of the date of recording of this deed, and the balance of \$14,000.00 on the date of the second anniversary of the date of recording of this deed. If the grantee fails to pay any of the above installments, the grantor shall have the right to declare this deed null and void and to re-convey the premises to the grantor. This deed shall be subject to the terms and conditions set forth in the deed of the grantor to the grantee, dated and recorded as above, and the grantee shall be bound by the terms and conditions thereof. Sec. ORS 93.010 xxx~~

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 August, 19 89; 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.

Nancy I. Turiello

NANCY I. TURIELLO

Rudolph T. Turiello

RUDOLPH T. TURIELLO

STATE OF OREGON, County of _____) ss.

STATE OF OREGON, County of Klamath) ss.August 31, 19 89

Personally appeared _____ and

Personally appeared the above named _____

NANCY I. TURIELLO and RUDOLPH T. TURIELLO

_____ president and that the latter is the

_____ secretary of

_____, a corporation,

and acknowledged the foregoing instrument

to be _____ 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.

Before me: _____

(OFFICIAL SEAL) Notary Public for Oregon

My commission expires: 11/10/91

NANCY I. TURIELLO and RUDOLPH T. TURIELLO

927 Jefferson

Klamath Falls, OR 97601

GRANTOR'S NAME AND ADDRESS

BRUCE P. YOST

131 N. 9th Street

Klamath Falls, OR 97601

GRANTEE'S NAME AND ADDRESS

A copy recording return to:

SAME AS GRANTEE

NAME, ADDRESS, ZIP

If 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 _____ 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.

Recording Officer_____
Deputy

SPACE RESERVED

FOR

RECORDERS USE

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1

That portion of Block 44 of NICHOLS ADDITION to the City of Klamath Falls, Oregon more particularly described as beginning at a point 243 feet North, 51 degrees 15' West of a point 60 feet North, 38 degrees 45' East of the Northeast corner of Block 12 in the City of Klamath Falls, (formerly Linkville), sometimes described as Block 12 of Nichols Addition to the City of Klamath Falls, the numbering of the Blocks in Nichols Addition to the City of Klamath Falls, being a continuation of the numbering of the blocks in the Original Town of Klamath Falls, formerly Linkville; thence North 38 degrees 45' East 155 feet 9 inches; thence North 51 degrees 15' West 57 feet; thence South 38 degrees 45' West 155 feet 9 inches; thence South 51 degrees 15' East 57 feet to place of beginning, being situated in the SW1/4 of the SE1/4 of Section 29, Township 38 South, Range 9 East of the Willamette Meridian, being a part of the land deeded to Sarah E. Taylor by Deed recorded in Book 1, page 457, Deed Records of Klamath County, Oregon.

EXCEPTING THEREFROM that portion of Block 44 of NICHOLS ADDITION to the City of Klamath Falls, Oregon, particularly described as beginning at a point 243 feet North, 51 degrees 15' West of a point 60 feet North, 38 degrees 45' East of the Northeast corner of Block 12 in the City of Klamath Falls, (formerly Linkville), sometimes described as Block 12 of Nichols Addition to the City of Klamath Falls, formerly Linkville, said point of beginning being on the Northeasterly line of Ninth Street; thence continuing North 51 degrees 45' West, a distance of 3.0 feet; thence North 38 degrees 15' East at right angles to Ninth Street, a distance of 81.10 feet; thence South 51 degrees 15' East a distance of 3.0 feet; thence South 38 degrees 45' West a distance of 81.10 feet to the point of beginning; said parcel being Southeasterly 3.0 feet of the Southwesterly 81.10 feet of that parcel described in Deed Volume M78, page 8088, Microfilm Records of Klamath County, Oregon.

PARCEL 2

The Southeasterly 3 feet of the following described property:

Beginning at the Northwest corner of Block 44, NICHOLS ADDITION to the Town of Linkville, now City of Klamath Falls, Oregon; thence Westerly along the Northeasterly line of 9th Street, 50 feet; thence Northeasterly parallel with Jefferson Street (formerly Bush Street) 90 feet; thence Southeasterly parallel with 9th Street 50 feet; thence Southwesterly along the Northerly line of said Block 44 in said Nichols Addition 90 feet to the place of beginning, being a portion of closed Canal Street, now Washington Street, and being further described as the South 50 feet of the West 90 feet of closed Canal Street.

Tax Account No: 3809 029DC 16000

TOGETHER WITH the unrestricted right of egress and ingress over and across a triangular shaped portion of the above described property being more particularly described as follows: Beginning at the most Northerly corner of the above described property; thence North 51° 02' 13" West along the dead end of Washington Street, 15.48 feet; thence South 01° 13' 10" West, 25.30 feet to a point on the Northwesterly line of Block 44 of NICHOLS ADDITION; thence North 38° 57' 47" East along said Northwesterly Block line, 20.00 feet to the point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 5th day
of Sept. A.D. 19 89 at 3:20 o'clock P.M., and duly recorded in Vol. M89,
of Deeds on Page 16661.

Evelyn Biehn County Clerk

By Caroline Mullendore

FEE \$13.00