

9513



Vol. 789 Page 24991

## WARRANTY DEED (INDIVIDUAL)

DONALD R. WHITAKER and ROSEMARY WHITAKER, husband and wife

convey(s) to SAMUEL R. EIDSON, and MARY J. EIDSON, husband and wife

County of Klamath, State of Oregon, described as:

The Westerly 100 feet of Tract 17, HOMELAND TRACTS NO. 2, in the County of Klamath, State of Oregon.

"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."

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.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except

SEE ATTACHED EXHIBIT "A"

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 82,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which) (Delete between symbols; if not applicable. See ORS 93.030)

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument this 27 day of December, 1989.

*Donald R. Whitaker*  
*Rosemary Whitaker*

STATE OF OREGON, County of Klamath, ss.

Personally appeared the above named

DONALD R AND ROSEMARY

instrument to be THEIR voluntary act and deed.

and acknowledged the foregoing

Before me:

*Daniel Chandler*  
 Notary Public for Oregon  
 My Commission Expires: 7-6-90

*Donald R. & Rosemary Whitaker*  
 5925 Delaware Ave  
 Klamath Falls OR 97603  
 GRANTOR'S NAME AND ADDRESS

*Samuel R. & Mary J. Eidson*  
 5911 Delaware Ave  
 Klamath Falls OR 97603  
 GRANTEE'S NAME AND ADDRESS

After recording return to:  
*Klamath First Federal*  
 540 Main St  
 Klamath Falls OR 97601  
 NAME, ADDRESS, ZIP

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

*Same as above*  
 NAME, ADDRESS, ZIP

STATE OF OREGON,

County of ss.

I certify that the within instrument was received for record on the day of 1989, at o'clock M., and recorded in book/reel/volume No. on page or as document/fee/file/instrument/microfilm No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By

Deputy

EXHIBIT "A"

SUBJECT TO:

1. Conditions, Restrictions as shown on the recorded plat of Homeland Tracts No. 2.
2. Conditions and Restrictions in Deed:  
Recorded : September 19, 1946  
Book : 196  
Page : 7
3. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Enterprise Irrigation District.
4. Regulations, including levies, liens, assessments, rights of way and easements of the South Suburban Sanitary District, and as per Ordinance No. 29, recorded May 24, 1983 in Book M-83 at Page 8062 and as per Ordinance No. 30, recorded May 30, 1986 in Book M-86 at Page 9346 and as per Ordinance No. 31, recorded January 6, 1988 in Book M-88 at Page 207.
5. Easement as disclosed by Minor Land Partition 39-85 as follows: "...subject to a 10 foot easement for an existing buried irrigation line adjacent to and Southerly of the North line of said Lot 17 and an easement by prescriptive right, for the Enterprise Irrigation District Low Line Canal on the Easterly side of said Lot 17."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 27th day  
of December A.D., 19 89 at 4:03 o'clock P M., and duly recorded in Vol. M89  
of Deeds on Page 24991

EVELYN BZEHN

County Clerk

By

Bernetha J. Hetch

FEE \$13.00