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10343

WARRANTY DEED

Vol. m90 Page 1281

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 KLAMATH PACIFIC CORPORATION, an Oregon corporation, 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:

Lots 2, 3, 6 and 7, Block 1, Tract 1249, Resubdivision of Lot 4, Block 1, Tract 1080, WASHBURN PARK, according to the duly recorded plat thereof on file in the office of the County Clerk of Klamath County, Oregon. SUBJECT TO: (1) Rules, regulations and assessments of South Suburban Sanitary District. (2) Right of way easement, including the terms and provisions thereof, given by Harry R. Waggoner, et ux, to California Pacific Utilities Company, dated November 10, 1970, recorded November 30, 1970, in Volume M70, Page 10618, deed records of Klamath County, Oregon. (3) Reservations and restrictions on the plat and in the Dedication of Washburn Park, Tract 1080. (4) Reservations and restrictions in the Dedication and as shown on the plat of Tract 1249, Washburn Park, a resubdivision of Lot 4, Block 1, Washburn Park, Tract 1080. (5) Right of way easement, including the terms and provisions thereof, given by Washburn Enterprises, Inc. to CP National Corporation.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE) (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 above,

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 \$ 0.  
 However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence 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 11 day of January, 1990; 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.

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.

STATE OF OREGON,

County of KlamathJanuary 11, 1990

Personally appeared the above named

D.

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

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

WASHBURN ENTERPRISES, INC.

By Dorman A. TurnerBy Lester RookstoolSTATE OF OREGON, County of KLAMATH ss. January 11, 1990Personally appeared DORMAN A. TURNER and LESTER ROOKSTOOL

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:

Georgie J. Bollinger

Notary Public for Oregon

My commission expires:

October 4, 1991

(OFFICIAL SEAL)  
 (If executed by a corporation, affix corporate seal)

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/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_

Deputy

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

Klamath Pacific Corporation2918 Edison Ave.Klamath Falls, Oregon 97603

NAME, ADDRESS, ZIP

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

Klamath Pacific Corporationsame as above

NAME, ADDRESS, ZIP

JAN 19 1990

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.

STATE OF OREGON: COUNTY OF KLAMATH: ss.  
Filed for record at request of Klamath County Clerk the 19th day  
of Jan. A.D., 19 90 at 10:34 o'clock AM., and duly recorded in Vol. M90  
of Deeds on Page 1281.  
Evelyn Biehn, County Clerk  
By Pauline M. Mendenhall

FEE \$33.00

[illegible]

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