

21832

WARRANTY DEED (INDIVIDUAL)

Vol. 190 Page 21409

D. P. ROTHERHAM and MABEL C. ROTHERHAM, husband and wife and J. R. POOL, A Single  
 hereinafter called grantor, convey(s) to  
 WESLEY E. IVIE and BARBARA J. IVIE, husband and wife  
 all that real property situated in the County  
 of Klamath, State of Oregon, described as:

Lots 13, 14, and 15, Block 5, SHIPPINGTON ADDITION TO THE CITY OF KLAMATH  
 FALLS, in the County of Klamath, State of Oregon.

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  
 those contained in Exhibit "A" attached hereto.

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 \$ 30,000.00 \*

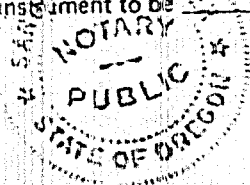
Dated this 21st day of November, 19 84

J. R. Pool  
 J. R. Pool

D. P. Rotherham  
 Mabel C. Rotherham  
 Mabel C. Rotherham

STATE OF OREGON, County of Klamath ) ss.

On this 21st day of November, 19 84 personally appeared the above named  
 D. P. ROTHERHAM, MABEL C. ROTHERHAM, and J. R. POOL  
 and acknowledged the foregoing  
 instrument to be their voluntary act and deed.



Before me:

Sandra Hindsaker

Notary Public for Oregon

My commission expires: 7-23-85

- \* The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.
- \*\* If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

# WARRANTY DEED (INDIVIDUAL)

D. P. Rotherham  
 Mabel C. Rotherham  
 J. R. Pool TO

Wesley E. Ivie  
 Barbara J. Ivie

After Recording Return to:

Wesley E. Ivie  
 Barbara J. Ivie  
 2138 Weard St  
 Klam Falls, OR  
 97603

STATE OF OREGON, )  
 ) ss.  
 County of )

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 \_\_\_\_\_ Records of Deeds of said County.

Witness my hand and seal of County affixed.

By \_\_\_\_\_ Title  
 Deputy

## EXHIBIT "A"

1. City Lien in favor of the City of Klamath Falls
  - Entered : August 20, 1982
  - Improvement # : 294
  - Card # : 64
  - Amount : \$1,514.88
  - Balance : \$1,312.88
  - For : Paving Front Street
2. An easement for controlling the level of Upper Klamath Lake, dated October 3, 1939, recorded October 27, 1939 in Book 125 at page 211, Deed Records of Klamath County, Oregon.
3. Unrecorded Contract, including the terms and provisions thereof, dated March 23, 1977, a Memorandum of which was
  - Recorded : March 28, 1977 Book: M-77 Page: 5177
  - Vendor : Lincoln C. Leitzke and Sylvia Ada Leitzke
  - Vendee : D.P. Rotherham and Mabel C. Rotherham, husband and wife; W.S. Robinson and Doris M. Robinson husband and wife, and J.R. Pool, a Single Man.

The Vendees interest in said Contract was assigned to D.P. Rotherham and Mabel C. Rotherham, husband and wife, and J.R. Pool by instrument  
 Dated : August 3, 1979  
 Recorded : August 6, 1979 Book: M-79 Page: 18698

4. The effect of Quitclaim Deeds affecting that portion of a tract of land lying adjacent to the East boundary of Lots 13 and 14, Block 5 of said Shippington Addition, being that portion of the West ½ of Venice Street (commonly called Front Street) vacated by Ordinance #6311, recorded September 26, 1980 in Volume M-80 at page 18583, Microfilm Records of said Klamath County, where it overlaps the relocated Front Street right of way as shown on the Plat of Tract 1209, Harbor Isles Subdivision. Said Quitclaim Deeds being recorded November 5, 1981 in Volume M-81 at pages 19265, 19266 and 19267 respectively, in Microfilm Records of Klamath County, Oregon.

6. Any adverse claim based upon the assertion that:
  - (a) Said land or any part thereof is now or at any time has been below the ordinary high water mark of the Upper Klamath Lake.
  - (b) Some portion of said land has been created by artificial means or has accreted to such portion so created.
  - (c) Some portion of said land has brought within the boundaries thereof by a change in the location of Upper Klamath Lake.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 24th day  
 of Oct. A.D. 19 80 at 11:57 o'clock A.M., and duly recorded in Vol. M90,  
 of Deeds on Page 21409.  
 By Evelyn Biehn County Clerk  
Pauline M. Mendenhall

FEE \$33.00