

MTC 24781

## WARRANTY DEED

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24550

ALL MEN BY THESE PRESENTS, That Brian Betz and Deanna Betz, husband and wife hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Vincent K. Nihipali, Sr., Garret Choy, \*\*see Grantees continued, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee 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 WHICH IS MADE A PART HEREOF BY THIS REFERENCE.

\*\*Grantees continued - Charles K. Nihipali, Sr., Carolyn R. Y. Young, Craig A. Fukuda, and Mallory M. Nihipali, all as tenants in common, each as to an undivided 1/6 interest

SEE EXHIBIT "A" FOR ENCUMBRANCES WHICH ARE MADE A PART HEREOF BY THIS REFERENCE.

"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 is 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 \$ 91,000.00.  
~~Howsoever the consideration stated or included in this instrument or value given or promised which is the whole part of the consideration and value which, (the sentence between the symbols is not applicable, should be deleted.~~  
~~See ORS 93.034 XXXXX~~

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 8th day of January, 19 91; 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.

STATE OF OREGON,

County of Klamath

January 8, 19 91 ss.

Personally appeared the above named  
 Brian Betz and  
 Deanna Betz

Brian Betz

Deanna Betz

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

Before me:

Notary Public for Oregon

My commission expires: 11/16/91

STATE OF OREGON, County of \_\_\_\_\_ ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_, 19 \_\_\_\_\_, by \_\_\_\_\_,

president, and by \_\_\_\_\_,

secretary of \_\_\_\_\_,

a \_\_\_\_\_ corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires: \_\_\_\_\_

(SEAL)

Brian Betz &amp; Deanna Betz

P.O. Box 1311

Klamath Falls, OR 97601

GRANTOR'S NAME AND ADDRESS

Vincent K. Nihipali, Sr. &amp; Garret Choy et al

94-926 Pupuole St.

Waipahu, HI 96797

GRANTEE'S NAME AND ADDRESS

After receiving return to:

SAME AS GRANTEE

NAME, ADDRESS, ZIP

SAME AS GRANTEE

NAME, ADDRESS, ZIP

SPACE RESERVED

FOR

RECORDERS USE

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.

By \_\_\_\_\_ Recording Officer  
 \_\_\_\_\_ Deputy

PARCEL 1:

The Westerly 25 feet 9 inches of Lot 2, Block 51 of NICHOLS ADDITION and the Southerly 2 feet of the Westerly 25 feet 9 inches of Lot 7, Block 51 NICHOLS 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, more particularly described as follows:

Beginning at the intersection of the Westerly line of Lot 4 in Block 51 of NICHOLS ADDITION to the City of Klamath Falls, Oregon, with the Northerly line of closed Canal Street on the Easterly line of Ninth Street; thence running Easterly along the Southerly line of Lot 4 and 3 in said Block 51 a distance of 130 feet for the true point of beginning; thence Northwesterly at right angles to closed Canal Street 122 feet; thence Northeasterly parallel with closed Canal Street a distance of 25' 9"; thence Southeasterly parallel with Ninth Street 122 feet; thence Southwesterly along the Northerly line of closed Canal Street 25' 9" to the point of beginning.

ALSO beginning at a point from the intersection of the Easterly line of Ninth Street with the Northerly line of Closed Canal Street, running Northeasterly along the Southerly line of lots 4 and 3 in Block 51 of NICHOLS ADDITION to the City of Klamath Falls, Oregon, a distance of 130 feet for the true point of beginning; thence Northwesterly at right angles of Closed Canal Street a distance of 120 feet; thence Southwesterly parallel with Closed Canal Street, 10 feet; thence Southeasterly at right angles of Closed Canal Street, 120 feet; thence Northeasterly 10 feet to the place of beginning, being a portion of Lot 3 in Block 51 of NICHOLS ADDITION to the City of Klamath Falls, Oregon.

PARCEL 2:

Beginning at a point on the Northerly line of Lot 1, Block 51, NICHOLS ADDITION to the City of Klamath Falls, Oregon 12.88 feet Easterly from the Northerly corner of Lot 2, said Block 51, running thence Westerly 52.12 feet along the Northerly line of Lots 1 and 2; thence Southerly at right angles 120 feet to Washington Street, formerly Canal Street; thence Easterly along the Northerly line of Washington Street 52.12 feet; thence Northerly at right angles with said Washington Street 120 feet, to the place of beginning.

EXHIBIT "A"

SUBJECT TO:

1. Real Estate Contract, dated April 15, 1977, recorded April 13, 1977 in Volume M77, page 6173, Microfilm Records of Klamath County, Oregon, between Christine May Lunetta and Michael D. Lunetta, husband and wife, as Vendors and Robert M. Reed and Mapril J. Reed, husband and wife, as Vendees.  
Addendum to Contract dated April 16, 1979, and recorded September 27, 1979, in Volume M79, page 22827, Microfilm Records of Klamath County, Oregon.  
Bargain and Sale Deed dated November 23, 1984, and recorded November 28, 1984, in Volume M84, page 20018, Microfilm Records of Klamath County, Oregon, from Michael D. Lunetta, as Grantor to Christine May Lunetta, as her sole and separate property, as Grantee.  
Assignment of Contract and Deed dated November 27, 1984, and recorded November 28, 1984, in Volume M84, page 20020, Microfilm Records of Klamath County, Oregon from Christine May Lunetta, as Grantor to Brian L. Curtis and Dolores E. Curtis, husband and wife.
2. Real Estate Contract dated February 19, 1980, a Memorandum of which was recorded on February 22, 1980, in Volume M80, page 3587, Microfilm Records of Klamath County, Oregon, between Robert M. Reed and Mapril J. Reed, husband and wife, as Vendors and David A. Peterson and Sharon B. Peterson, husband and wife, as Vendees.
3. Real Estate Contract dated May 1, 1989, and recorded May 9, 1989, in Volume M89, page 7820, Microfilm Records of Klamath County, Oregon, between David A. Peterson and Sharon B. Peterson, as Vendors and Brian Betz and Deanna Betz, husband and wife, as Vendees.

The Grantees named herein do not agree to assume nor pay any of the above described Real Estate Contracts and the Grantors named herein hereby agree to hold the Grantees harmless therefrom.

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 9th day  
of Jan. A.D., 19 91 at 2:57 o'clock P M., and duly recorded in Vol. M91  
of Deeds on Page 530  
Evelyn Biehn - County Clerk  
By Pauline Muller

FEE \$38.00