Vol.<u>mg/</u>Page **4265** 

D2036158 WARRANTY DEED

TITLE & ESCROW, INC. AFTER RECORDING RETURN TO: DAVID F. BOTENS MARGIE A. BOTENS 6323 Reddicing ST. KLAMATH FAILS, ORE 97603

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UNTIL A CHANGE IS REQUESTED ALL TAX STATEMENTS TO THE FOLLOWING ADDRESS: SAME AS ABOVE

RICHARD E. BOTENS AND EILEEN M. BOTENS, HUSBAND AND WIFE hereinafter called GRANTOR(S), convey(s) to DAVID F. BOTENS AND MARGIE A. BOTENS, HUSBAND AND WIFE hereinafter called GRANTEE(S), all that real property situated in the County of KLAMATH, State of Oregon, described as:

Lots 29 and 30, ANKENY GARDEN TRACTS, in the County of Klamath, State of Oregon.

CODE 198 MAP 3909-24B0 TL 500 CODE 198 MAP 3909-24B0 TL 600

"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."

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except 1) Conditions, Restrictions as shown on the recorded plat of Ankeny Garden 2) Conditions and Restrictions in deed: Recorded: October 17. 1952 in Book 257 at page 261. 3) Conditions and Restrictions in deed: Recorded on October 17. 1952 in Book 257 at page 263. 4) Conditions and Restrictions in Deed: Recorded on August 9. 1977 in Book M-77 at page 14364. 5) Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District. 6) Reservations as shown in deed from Malcolm G MacNevin, et us., to Clovin Chriss, et ux., dated October 29, 1942, recorded November 10, 1942 in Book 151 at page 115, Deed Records of Klamath County, Oregon, substantially as follows: "... the right to enter upon and construct irrigation ditches and divert irrigation water through lands hereinbefore described is hereby reserved also the right to construct and maintain ditches and pipes for domestic water." 7) Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any: Grantor: Richard E. Botens and Eileen M. Botens, husband and wife; Trustee: William L. Sisemore; Beneficiary: Klamath First ' Federal Savings and Loan Association of Klamath Falls, Oregon, a regeral Savings and Loan Association of Klamath Falls, Oregon, a Corporation; Dated August 8, 1977 and recorded on August 9. 1977 in Book M-77 at page 14365 . Assignment of Deed of Trust: 1977 in Book M-77 at page 14365 . Assignment of Recorded June to: Oregon Trail Savings and Loan, a corporation; Recorded June 30. 1981 in Book M-81 at page 11802. WHICH SAID TRUST DEED THE SGRAWIEE HEREIN AGREES TO ASSUME AND PAY ACCORDING TO THE TERMS AND PROVISIONS CONTAINED THEREIN.

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 \$70,000.00.

Dictive a notified and where the context so requires, the singular includes the plural.

IN<sup>©</sup>WITNESS WHEREOF, the grantor has executed this instrument this 1ST day<sup>0</sup> of MARCH, 1991.

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