

52174

WARRANTY DEED (INDIVIDUAL)

15969

26086

THOMAS C. BOULTON AND BRENDA L. BOULTON, husband and wife

hereinafter called grantor, convey(s) to

CARLYLE HUTCHINSON AND SARAH CLEE HUTCHINSON, husband and wife

all that real property situated in the County of Klamath, State of Oregon, described as:

Lot 9, GARDEN TRACTS, In the County of Klamath, State of Oregon.

SUBJECT TO: 1. 1978-79 taxes, a lien in an amount to be determined, but not yet payable.

2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Enterprise Irrigation District.

3. Regulations, including levies, liens, assessments, rights of way and easements of the South Suburban Sanitary District.

4. Trust Deed, including the terms and provisions thereof, with interest thereon and such future advances as may be provided therein, given to secure the payment of \$9,000.00, Dated October 26, 1977, Recorded October 26, 1977 in Book M-77 at Page 20558 Trustor - Thomas C. Boulton and Brenda L. Boulton, husband and wife; Trustee - Transamerica Title Insurance Company; Beneficiary - South Valley State Bank, which grantees herein agree to assume and pay in full.

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

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 \$ 14,750.00

Dated this 24th day of July, 1978

Thomas C. Boulton

Brenda L. Boulton

STATE OF OREGON, County of Klamath) ss.

On this 24th day of July, 1978, personally appeared the above named Thomas C. Boulton and Brenda L. Boulton and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

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 whole consideration." (Indicate which)

WARRANTY DEED (INDIVIDUAL)

Boulton

TO

Hutchinson

After Recording Return to and send taxes to:
Mr. and Mrs. Carlyle Hutchinson6321 Dennis Dr.
K. Falls, OR 97601

STATE OF OREGON,)

County of Klamath) ss.

I certify that the within instrument was received for record on the 24th day of July, 1978, at 10:51 o'clock A.M. and recorded in Book 1178 on page 15969 Records of Deeds of said County.

Witness my hand and Seal of County of Oregon

Wm. D. Milne

County Clerk

Title

By: Brenda L. Boulton INDEXED Deputy

WARRANTY DEED - TENANTS BY ENTIRETY

KNOW ALL MEN BY THESE PRESENTS, That Chester Lyle Swearingen and Henrietta G. Swearingen, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Carlyle Hutchinson and Sarah Hutchinson, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit: Lot 5 in Block 1, FIRST ADDITION TO EASTMOUNT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Subject, however, to the following:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District.
2. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
3. A 20 foot building setback from front of lot as shown on dedicated plat.
4. A 16 foot utility easement along rear of lot and an 8 foot utility easement along east side of lot as shown on dedicated plat.
5. An irrigation ditch easement along east side of lot as shown on dedicated plat.

6. Reservations as contained in plat dedication, to-wit:

"said plat being subject to utility easements as shown for present and future public utilities, drainage and perpetual right of way for ditches to convey irrigation water, said easements to provide ingress and egress for construction and maintenance of such utilities with no structures being permitted thereon and plantings being placed thereon at the risk of the owners. Further, that the sale of lots shown hereon is subject to the following restrictions: (1) No building shall be erected within twenty feet of the front property line nor within five feet of any other property line; (2) Not more than one dwelling shall be erected on any single lot; (3) No building erected on these premises shall be more than one story high; (4) Homes shall be single family dwellings only of not less than one-thousand square feet of floor space (exclusive of garages) and all outbuildings shall be architecturally similar to the main building on any particular lot; (5) No trailer, tent, shack, basement, garage, barn or outbuilding erected or placed on these premises shall at any time be used for residential purposes, either temporarily or permanently, nor shall any residence of a temporary nature be constructed; (6) No fence or wall shall ever be erected on said premises which shall be greater in height than three feet in the front of the dwelling and front twenty feet of the sides or six feet in the rear and remaining sides; (7) No noxious or offensive trade or business shall be carried on upon any lot, nor shall anything be done thereon which may be, or become, a nuisance or annoyance to the neighborhood."