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44547

WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That Thomas K. Wimberly, Trustee for Commercial Title Co. Profit Sharing Plan

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Robert D. Sutton

and that 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:

SEE EXHIBIT "A" ATTACHED

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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 set forth on Exhibit "A" attached,

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 \$ 29,698.63

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the 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 20th day of December, 1989; 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.

Thomas K. Wimberly, Trustee for Commercial Title Co. Profit Sharing Plan

STATE OF OREGON, }
County of Douglas } ss.
December 20, 1989

STATE OF OREGON, County of _____) ss.
_____, 19_____

Personally appeared _____ and

_____, 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 _____

_____, a corporation, 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:

(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires: 2/22/92

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

(If executed by a corporation, affix corporate seal)

GRANTOR'S NAME AND ADDRESS

Robert D. Sutton
P.O. Box 1097
LaPine, OR 97739

GRANTEE'S NAME AND ADDRESS

After recording return to:
Same as above

NAME, ADDRESS, ZIP

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

Same as above

NAME, ADDRESS, ZIP

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/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

SPACE RESERVED
FOR
RECORDER'S USE

EXHIBIT "A"

Lots four (4) and five (5) in Block six (6) of JACK PINE VILLAGE, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT TO:

1. Contracts, water rights, proceedings, taxes and assessments relating to irrigation, drainage, and/or reclamation of said lands; and all rights of way for roads, ditches, canals, and conduits, if any there may be.
2. Right of Way for pole and wire line, including the terms and provisions thereof, given by C. C. Sears and Mattie Sears to the Pacific Telephone and Telegraph Company, recorded December 26, 1926, in Volume 85, Page 65, deed records of Klamath County, Oregon.
3. Right of Way Easement, including the terms and provisions thereof, given by Betty Jane Ahern to Midstate Electric Cooperative, Inc., a cooperative corporation, dated May 19, 1969, recorded May 22, 1969, in Volume M69, Page 3857, and recorded May 27, 1969, in Volume M69, Page 3955, deed records of Klamath County, Oregon.
4. Building and Use Restrictions of Jack Pine Village, recorded May 23, 1969, in Volume M69, Page 3870, deed records of Klamath County, Oregon.
5. Reservations and restrictions in the dedication and as shown on the plat of Jack Pine Village.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 6th day
of May A.D., 19 92 at 2:04 o'clock P.M., and duly recorded in Vol. M92,
of Deeds on Page 9885.

FEE \$35.00

Evelyn Biehn, County Clerk

By Rexine Mullins