

NL 70771

## WARRANTY DEED

Vol. m93 Page 29087

KNOW ALL MEN BY THESE PRESENTS, That BERYL D. PATE

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by \*\*\*\*

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

\*\*\*\* BERYL D. PATE, TRUSTEE OR HER SUCCESSORS IN TRUST, UNDER THE BERYL D. PATE LOVING® TRUST DATED OCTOBER 18, 1993, AND ANY AMENDMENTS THERETO.

SEE ATTACHED EXHIBIT "A"

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantor under any policy of title insurance issued to the Grantor at the time Grantor acquired the property. The limitations contained herein expressly do not relieve Grantor of any liability or obligation under this instrument, but merely define the scope, nature and amount of such liability or obligations.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever. And grantor hereby covenants to and with 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

and that grantor will warrant and forever defend the 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 \$ -0-.

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) of the same between the symbols @, if not applicable, should be deleted. See ORS 92.020.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 18 day of October, 1993; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

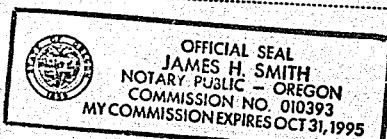
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Beryl D. Pate  
BERYL D. PATE

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on October 18, 1993, by BERYL D. PATE

This instrument was acknowledged before me on \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_



My commission expires 10/31/95  
Notary Public for Oregon

BERYL D. PATE  
1750 Homedale  
Klamath Falls, OR 97603  
Grantor's Name and Address

BERYL D. PATE, Trustee  
1750 Homedale  
Klamath Falls, OR 97603  
Grantee's Name and Address

After recording return to (Name, Address, Zip):

JAMES H. SMITH  
711 Bennett Avenue  
Medford, OR 97501

Until requested otherwise send all tax statements to (Name, Address, Zip):

BERYL D. PATE  
1750 Homedale  
Klamath Falls, OR 97603

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of Klamath ss.

I certify that the within instrument was received for record on the 4th day of November, 1993, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ and/or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_

Record of Deeds of said County.

Witness my hand and seal of County affixed.

By \_\_\_\_\_, Deputy.

## EXHIBIT "A"

The North 25 feet of Lot 90 and all of Lot 91, YALTA GARDENS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT TO: Rules, regulations, and assessments of South Suburban Sanitary District; liens, assessments, regulations, contracts, easements, water or irrigation rights of the Klamath Project and the Enterprise Irrigation District; reservations and restrictions contained in dedication of Yalta Gardens; reservations and restrictions contained in Deed from Harvey C. Martin and Violet L. Martin, husband and wife, and Irving E. Gray and Rosie Gray, husband and wife, to Bill E. Gilliland and Dorothy Mary Gilliland, husband and wife, dated February 16, 1948, recorded September 14, 1954, in Deed Volume 269 page 294, records of Klamath County, Oregon; Trust Deed, including the terms and provisions thereof, executed by Donald C. Carson and Patricia Ann Carson, husband and wife, to William Ganong, as Trustee for First Federal Savings and Loan Association of Klamath Falls, Oregon, a corporation, as Beneficiary, dated September 13, 1968, recorded September 18, 1968 in Microfilm Records as Documents No. 16171 Volume M68 page 8467, records of Klamath County, Oregon, to secure the payment of \$16,000.00, which said Trust Deed Grantees hereby expressly assume and agree to pay and to hold Grantors harmless from any and all liability, costs, or damages in connection therewith, including, but not limited to, principal, interest, attorneys' fees, whether at trial or on appeal, and costs.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 4th day  
of November A.D., 19 93 at 9:28 o'clock A.M., and duly recorded in Vol. M93,  
of Deeds on Page 29087.

Evelyn Biehn County Clerk  
By Quilma Mullender

FEE \$35.00