

66581

SPECIAL WARRANTY DEED

Vol. M86 Page 17784

KNOW ALL MEN BY THESE PRESENTS, That Kevin J. Moore and Cindy A. Moore as tenants by the entirety for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Trendwest, Inc., formerly known as Trendwest Development Company hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

Lot 22, Block 1, HARBOR ISLES, TRACT No. 1209, according to the official plat thereon on file in the office of the County Clerk of Klamath County, Oregon, EXCEPTING THEREFROM the following:

Beginning at the Southeast corner of Lot 21, Block 1, HARBOR ISLES, TRACT 1209, Klamath County, Oregon; thence South 83°28'45" West along the southerly line of Lot 21, Block 1, 65.1 feet; thence South 78°10'30" East 56.12 feet to the Easterly line of Lot 22, Block 1, thence North 27°18'26" East 21.26 feet to the point of beginning.

EXCEPTIONS: See Exhibit "A" attached hereto.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor. The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 28,500.00

However, the actual consideration paid for this transfer, stated in terms of dollars, is \$ 28,500.00. 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 24 day of September, 1986; 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 DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

STATE OF OREGON,  
County of Klamath } ss.  
September 24, 1986

Kevin J. Moore 9/24/86  
Cindy A. Moore 9/24/86  
STATE OF OREGON, County of \_\_\_\_\_ ) ss.  
Personally appeared \_\_\_\_\_, 19\_\_\_\_

Personally appeared the above named Kevin J. Moore and Cindy A. Moore

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

Before me: \_\_\_\_\_  
Notary Public for Oregon  
My commission expires 11-20-87

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: \_\_\_\_\_  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

Kevin J. Moore and Cindy A. Moore

GRANTOR'S NAME AND ADDRESS  
Trendwest, Inc., formerly known as Trendwest Development Company

GRANTEE'S NAME AND ADDRESS  
After recording return to:  
Jerry Molatore  
426 Main Street  
Klamath Falls, OR 97601

Until a change is requested all tax statements shall be sent to the following address.  
Trendwest, Inc.  
803 Main Street  
Klamath Falls, OR 97601

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/reel/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/tile/instrument/microfilm/reception No. \_\_\_\_\_.  
Record of Deeds of said county.  
Witness my hand and seal of County affixed.

By \_\_\_\_\_  
NAME TITLE  
Deputy

## EXHIBIT "A" - EXCEPTIONS

17785

1. Taxes for the fiscal year 1985-1986, delinquent.

Amount: \$180.72 Account No.: 3809 019BC 03500 Key No.: 701191

2. Taxes for the fiscal year 1986-1987, a lien, not yet due and payable.

3. Rights of the public and of governmental bodies and the State of Oregon in and to any portion of the herein described premises lying below the high water mark of Klamath Lake.

4. The lawful consequence of the fact that the East boundary is formed by Klamath Lake.

5. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, imposed by instrument, including the terms and provisions thereof, recorded in Volume M81, page 18812, Microfilm Records of Klamath County, Oregon, and revised January 25, 1983 in Volume M83, page 1299, Microfilm Records of Klamath County, Oregon.  
(Affects Lots 2 through 42, inclusive of Block 1 and Lots 1 through 5, inclusive of Block 2).

6. Reservations, restrictions and easements as contained in plat dedication, to wit:

"Said plat being subject to: (1) All applicable terms set forth in Exhibit B of the special ordinance of the City of Klamath Falls, No. 6267; (2) All easements as shown on the annexed plat; (3) Public access easement as shown on the annexed plat will be developed and maintained by the Homeowners Association for access to the shore line of Upper Klamath Lake from Front Street; (4) An entrance park easement as shown on the annexed plat will be developed and maintained by the Homeowners Association; (5) The maintenance of the canal, including fresh water input, will be the responsibility of the Homeowners Association and will be accessible to the public for use, and (6) All easements and reservations of record and additional restrictions as provided in the recorded protective covenants, (Lot 1, Block 1, M81 P. 18803 thru P. 11881 instrument No. 5874) and (Lots 2 thru 43, Block 1, Lots 1 thru 5, Block 2, M81 P. 18812 thru P. 18822 instrument No. 5874)."

7. Subject to a 10 foot slope restriction for waterway along East lot line as shown on dedicated plat.

8. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.

Dated: August 15, 1984

Recorded: August 27, 1984

Volume: M84, page 14845, Microfilm Records of Klamath County, Oregon

Amount: \$5,400.00

Grantor: Kevin J. Moore and Cindy A. Moore, husband and wife

Trustee: Mountain Title Company, Inc.

Beneficiary: Trendwest Development

EXHIBIT "A"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 30th day  
of September A.D., 19 86 at 4:22 o'clock P.M., and duly recorded in Vol. M86  
of \_\_\_\_\_ Deeds on Page 17784.

FEE \$14.00

Evelyn Biehn, County Clerk  
By *Sam Smith*