



Aspen
TITLE & ESCROW, INC.

01034732-Part 1
WARRANTY DEED

AFTER RECORDING RETURN TO:

JOHN AND ERMA K. TOFELL

5821 Valley Court
Klamath Falls, OR 97603

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

NEW CAPITAL ENTERPRISES CORPORATION, an estate in fee simple,
hereinafter called GRANTOR(S), convey(s) to JOHN TOFELL AND ERMA
K. TOFELL, hereinafter called GRANTEE(S), all that real
property situated in the County of Klamath, State of Oregon,
described as:

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND
BY THIS REFERENCE MADE A PART HEREOF AS THOUGH FULLY SET
FORTH HEREIN.....

"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) Regulations,
including levies, liens and utility assessments of the City of
Klamath Falls. 2) Conditions and Restrictions as shown on the
recorded plat of Second Mills Addition to the City of Klamath
Falls. 3) Reservations, including terms and provisions thereof,
as set forth in Deed recorded November 25, 1914 in Book 43,
page 112, Deed Records of Klamath County, Oregon. 4) Declaration
of Trust, including the terms and provisions thereof, recorded
April 3, 1985 in Book M-85, page 4873.

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
\$48,000.00.

In construing this deed and where the context so requires, the
singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument
this 6th day of February, 1990.

NEW CAPITAL ENTERPRISES CORPORATION

BY:

John Tofell Pres. Erma K. Tofell, Sec.

STATE OF OREGON, County of Klamath)ss.

This instrument was acknowledged before me on
February 16, 1990, by John Tofell & Erma K. Tofell as
President & Secretary of New Capital Enterprises Corporation.

Before me: Shirley L. Addington
Notary Public for Oregon
My Commission Expires: March 22, 1993

90 FEB 16 PM 4 06

EXHIBIT "A"

PARCEL 1:

That portion of Lot 1, Block 218, SECOND MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the North-East corner of Lot 1, Block 218, Second Mills Addition to the City of Klamath Falls, Oregon; thence 50 feet along the Northern boundary of Lot 1, from Division Street along Union Avenue in the direction of Martin Street; thence South along the dividing line of Lots 1 and 2, 40 feet; thence East, along a line parallel with Union Avenue, a distance of 50 feet to the Easterly line of Lot 1 bordering on Division Street; thence North in the direction of Union Avenue, a distance of 40 feet, to the place of beginning.

PARCEL 2:

That portion of Lot 1, Block 218, SECOND MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point 40 feet South of the Northeast corner of Lot 1, Block 218, Second Mills Addition to the City of Klamath Falls, Oregon; thence West, along a line parallel with Union Avenue, a distance of 50 feet to the dividing line of Lots 1 and 2; thence South along the dividing line of Lots 1 and 2 a distance of 40 feet; thence East along a line parallel with Union Avenue, a distance of 50 feet to the Easterly line of Lot 1; thence North, along the Easterly line of Lot 1, facing on Division Street, a distance of 40 feet to the place of beginning.

PARCEL 3:

The Southerly 40 feet of Lot 1, Block 218, MILLS SECOND ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-33DC TL 16200
CODE 1 MAP 3909-33DC TL 16300
CODE 1 MAP 3909-33DC TL 16400

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 16th day
of Feb. A.D. 19 90 at 4:06 o'clock P.M., and duly recorded in Vol. M90
of Deeds on Page 3185

FEE \$33.00

Evelyn Biehn County Clerk

By Pauline Mullendore