

SPECIAL WARRANTY DEED

C07995

The STATE OF OREGON, by and through the Director of Veterans' Affairs, grantor, conveys and specially warrants unto David D. Markham and Danelle Markham, husband and wife, grantee(s), the following described real property free of encumbrances created or suffered by the grantor on or before October 10, 1986, except as specifically set forth herein situated in Klamath County, State of Oregon, to wit:

Lot 7, Block 2, Tract No. 1002, LA WANDA HILLS, according to the official plat thereof, on file in the office of the County Clerk of Klamath County, Oregon.

## SUBJECT TO:

1. Any taxes for 1991-92 when due or payable.
2. Any Right of Redemption as Provided by Law.
3. Right of Way, created by instrument, including the terms and provisions thereof: recorded March 20, 1926; Volume 69 Page 384, Deed Records of Klamath County, Oregon; in favor of California Oregon Power Company; for transmission lines; affects a portion of LaWanda Hills Tract 1002 (Blanket easement).
4. Agreement, including the terms and provisions thereof: recorded April 27, 1940; Volume 128 Page 593, Deed Records of Klamath County, Oregon; between Grantors and Plevna District Improvement Company (with other property).
5. Agreement, including the terms and provisions thereof: recorded December 18, 1967; Volume M67 Page 9824, Microfilm Records of Klamath County, Oregon; between Grantors and Pacific Power and Light Company (Blanket easement).
6. Reservations and restrictions as contained in the plat dedication, to wit: "said plat being subject to the following restrictions:
  1. Building set-back lines as shown on the annexed plat.
  2. Public utilities easements as shown on the annexed plat.
  3. Plevna Improvement District ditch as shown on the annexed plat.
  4. Water pipe easement as shown on the annexed plat.
  5. One foot reserve strips (street plugs) as shown on the annexed plat to be dedicated to Klamath County and later released by resolution of the County Commissioners when the adjoining property is properly developed.
  6. Vacation of vehicular access rights to State Highway No. 66 from lots 1, 2, 3, 4, 8, 5 of block 1.
  7. All sanitary facilities subject to the approval of the County Sanitarian.
  8. No residential buildings shall be constructed between main Plevna ditch and highway 66.
  9. Drainage easements as shown on annexed plat.
  10. Any recorded protective covenants.
7. A 25 foot building set-back from Blue Mountain Drive as shown on the dedicated plat.

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8. An 8 foot public utilities easement along the Westerly lot line as shown on the dedicated plat.
9. An 8 foot easement along the Northerly lot line as shown on the dedicated plat.
10. 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 November 14, 1975, in Volume M75, page 14401, Microfilm Records of Klamath County, Oregon.

TO HAVE AND TO HOLD said real property unto said grantee(s), their heirs and assigns forever.

"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 USES."

IN WITNESS WHEREOF, the Director of Veterans' Affairs has caused these presents to be executed this 19th day of March, 1991.

The true and actual consideration for this conveyance is \$55,000.

The foregoing recital of consideration is true as I verily believe.

RETURN TO:  
FIRST AMERICAN TITLE  
310 SW FOURTH AVE.  
PORTLAND, OREGON 97204  
ATTN: TIFFANY  
TAXES TO REMAIN THE SAME

STATE OF OREGON  
Jon A. Mangis  
Director of Veterans' Affairs

By: Curt R. Schnepf  
Curt R. Schnepf  
Manager, Accounts Services

STATE OF OREGON       )  
                              ) SS  
County of Marion     )

Before me, a notary public, personally appeared the above-named Curt R. Schnepf, authorized to act on behalf of the duly appointed and acting Director of Veterans' Affairs for the STATE OF OREGON, and acknowledged the foregoing instrument to be his voluntary act and deed.

Guth Parker  
Notary Public for Oregon  
My Commission expires: 2-11-94

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title co. the 21st day of March A.D., 19 91 at 12:57 o'clock P.M., and duly recorded in Vol. M91 of Deeds on Page 5072.

FEE \$33.00

Evelyn Biehn County Clerk

By Guth Parker