



Aspen
TITLE & ESCROW, INC.

02036187

WARRANTY DEED

AFTER RECORDING RETURN TO:
TOM L. YOAKUM
ROBERTA A. YOAKUM

1827 Pinegrove Rd
Klamath Falls, OR 97603

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

DON D. SUTPHIN, DANIEL L. SUTPHIN, GLORIA J. SUTPHIN AND DAVID C. SUTPHIN, dba DAVES WHOLESALE CANDY hereinafter called GRANTOR(S), convey(s) to TOM L. YOAKUM AND ROBERTA A. YOAKUM, HUSBAND AND WIFE 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) Rights of the public in and to any portion of the herein described premises lying within the boundaries of roads or highways. 2) Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District. 3) Regulations, including levies, liens, assessments, rights of way and easements of the South Suburban Sanitary District, and as per Ordinance No. 29, recorded May 24, 1983 in Book M-83 at page 8062 and as per Ordinance No. 30, recorded May 30, 1986 in Book M-86 at page 9346 and as per Ordinance No. 31, recorded January 6, 1988 in book M-88 at page 207, and as per Ordinance No. 32, recorded May 14, 1990 in book M-90 at page 9131. 4) Easement, including the terms and provisions thereof: Granted to: Pacific Power and Light Company, and recorded on August 9, 1939 in Book 124 at page 11 & 13. 5) Reservations, including the terms and provisions thereof, as set forth in Deed for J.J. Winter, et us., to Ortis T. Nielson, et ux., recorded June 18, 1947 in Book 207 at page 467, Deed Records as follows: "there is reservation for road purposes, a strip of land 30 feet wide along the Westerly side of said tract; another strip of land 30 feet wide along the South Side of said tract and another strip of land or alley purposes 20 feet wide along the Easterly side of said Tract; an irrigation and domestic use, and for drainage purposes, for the benefit of adjoining property owners, an easement for the U.S.R.S. Drain." 6) Easement, including the terms and provisions thereof: Granted to: Pacific Telephone and Telegraph Co., a California Corporation, recorded on June 3, 1954 in Book 267 at page 212. 7) Mortgage, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any: Mortgagor: Don D. Sutphin, Gloria J. Sutphin, David C. Sutphin and Daniel L. Sutphin, dba Daves Wholesale Candy; Mortgagee: Leo L. Davis and Adair F. Davis, husband and wife, dated June 17, 1985 and recorded on July 11, 1985 in Book M-85 at page 10795. WHICH THE GRANTEE HEREIN DOES NOT AGREE TO ASSUME, AND THE GRANTOR HEREIN AGREES TO HOLD THE GRANTEE HARMLESS THEREFROM.

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 \$34,000.00.

Continued on next page

2820

91 MAR 25 PM 10 41

WARRANTY DEED
PAGE 2

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 21 day of MARCH, 1991.

Don D. Sutphin
DON D. SUTPHIN

Daniel L. Sutphin
DANIEL L. SUTPHIN

Gloria J. Sutphin
GLORIA J. SUTPHIN

David C. Sutphin
DAVID C. SUTPHIN

STATE OF OREGON, County of KLAMATH)ss.

March 11, 1991, 1991.

Personally appeared the above named DON D. SUTPHIN AND DANIEL L. SUTPHIN AND GLORIA J. SUTPHIN AND DAVID C. SUTPHIN dba DAVES WHOLESALE CANDY and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Sandra Handsaker
Notary Public for OREGON
My Commission Expires: 7-23-93

EXHIBIT "A"

A parcel of land lying in the NW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point which is North 1 degree 12' West 361.4 feet and East 30 feet from the West quarter corner of said Section 11; thence North 1 degree 12' West 100 feet; thence North 88 degrees 57' East 100 feet; thence South 1 degree 12' East 100 feet; thence South 88 degrees 57' West 100 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying within the right of way of Summers Lane and any portion lying within the right of way of Winter Avenue.

CODE 41 MAP 3909-11BC TL 4700

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 25th day of March A.D., 1991 at 10:41 o'clock AM., and duly recorded in Vol. M91, of Deeds on Page 5249.
Evelyn Biehn County Clerk
By Douglas Muelender

FEE \$33.00