

SPECIAL WARRANTY DEED

Account Number C05167	County Tax Account Number OR293658 and OR293667 and OR293676 and OR293685
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MTC 23442

The STATE OF OREGON, by and through the Director of Oregon Department of Veterans' Affairs, grantor, conveys and specially warrants unto Edwin K. Vieira and Bonnie B. Vieira, grantee(s), the following described real property free of encumbrances created or suffered by the grantor on or before June 13, 1985, except as specifically set forth herein situated at HC 33 Box 6, Beatty, Oregon 97621 in Klamath County, State of Oregon, to wit:

Lots 6, 7, 8 and 9, Block 1, SPRAGUE RIVER VALLEY ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Excepting and reserving to itself, its successors, and assigns all minerals, as defined in ORS 273.775, (EXCEPT soil, clay, stone, sand, and gravel), and all geothermal resources, as defined in ORS 522.005 together with the right to make such use of the surface as may be reasonably necessary for, exploring for, mining, extracting, storing, drilling for, and removing such minerals, materials, and geothermal resources. In the event the premises by a surface rights' owner would be damaged by one or more of the activities described above, then such owner shall be entitled to compensation from the State's lessee to the extent of the diminution in value of the real property, based on the actual use by the surface rights' owner at the time the State's lessee conducts any of the above activities.

SUBJECT TO:

1. Any taxes for 1990-91 when due or payable.
2. Any Right of Redemption as Provided by Law.
3. Reservations and restrictions contained in Deed from United States of America Department of the Interior, acting by and through the Area Director, to Harding A. Brown, dated June 22, 1959, recorded September 16, 1959 in Volume 315, page 652, Deed Records of Klamath County, Oregon.
4. Reservations and restrictions contained in the dedication of Sprague River Valley Acres, to wit: "Said plat being subject to a sixteen (16) foot easement for future public utilities along the back and side lines of all lots, said easement to be centered on lines of adjacent lots; subject to a twenty (20) foot building setback line along the front of all lots; subject also to the restrictions of no access from Godowa Springs Road to Lots 1, 5, 6, 7 & 8, Block 1, and to easements and reservations of record and additional restrictions as provided in any recorded protective covenants."

The true and actual consideration for this conveyance is \$15,506.

AFTER RECORDING RETURN TO:

Mountain Title
222 South 6th Street
Klamath Falls, OR 97601

Until a change is requested, all tax statements shall be sent to the following address:

Edwin K. Vieira
HC 33 Box 6
Beatty, OR 97621

SPECIAL WARRANTY DEED (Continued)

27640

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LEGAL DESCRIPTION:

5. Reservations, restrictions and conditions imposed by Declaration of Restrictions executed by Grayco Land Escrow Ltd., dated April 1, 1969, recorded April 30, 1969 in Volume M69, page 3171, Microfilm Records of Klamath County, Oregon.
6. Restrictions, conditions and assessments, imposed by Articles of Association of Sprague River Valley Acres Property Owners recorded April 30, 1969 in Volume M69, page 3171, Microfilm Records of Klamath County, Oregon, and amended in Volume M76, page 7574, Microfilm Records of Klamath County, Oregon.
7. Right of Way Easement, including the terms and provisions thereof, dated August 24, 1979, recorded September 20, 1979, Volume M79, page 22423, Microfilm Records of Klamath County, Oregon, in favor of Pacific Power & Light Company, a corporation for Electric transmission and distribution line and appurtenances thereto.

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 the Oregon Department of Veterans' Affairs has caused these presents to be executed this November 19, 1992. The foregoing recital of consideration is true as I verily believe.

Director of Oregon Department of Veterans' Affairs

By

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

STATE OF OREGON)

) ss

County of Marion)

November 19, 1992

personally appeared the above-named Curt R. Schnepf and, being first duly sworn, did say that he is duly authorized to sign the foregoing document on behalf of the Oregon Department of Veterans' Affairs by authority of its Director.

Before me:

Ruth Carver
Notary Public For Oregon

My Commission Expires: February 11, 1994

This is a duplicate Special Warranty Deed, which was originally issued May 8, 1990, under our number C05167, and which has been reported lost.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 20th day of Nov. A.D., 19 92 at 11:38 o'clock A.M., and duly recorded in Vol. M92 of Deeds on Page 27639.

FEE \$35.00

Evelyn Biehn - County Clerk

By

Quelene M. Williams