

ASPEN 03039825
SPECIAL WARRANTY DEED

Account Number C09005	County Tax Account Number R558239
--------------------------	--------------------------------------

The STATE OF OREGON, by and through the Director of Oregon Department of Veterans' Affairs, grantor, conveys and specially warrants unto Bruce R. Voss and Penny Voss, grantee(s), the following described real property free of encumbrances created or suffered by the grantor on or before May 11, 1987, except as specifically set forth herein situated at 5240 Sturdivant, Klamath Falls, Oregon 97603 in Klamath County, State of Oregon, to wit:

Parcel 1 - Lot 58, LAMRON HOMES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Parcel 2 - A strip of land 15 feet wide adjacent to and parallel with the South boundary of Lot 58, LAMRON HOMES, lying in the SW1/4 SE1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

SUBJECT TO:

1. Any taxes for 1993-94 when due or payable.
2. Any Right of Redemption as Provided by Law.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of South Suburban Sanitary District and as per Ordinance No. 29, recorded May 24, 1983 in Volume M83, Page 8062, Microfilm Records of Klamath County, Oregon.
4. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Klamath Irrigation District.
5. Covenants, conditions and restrictions, recorded July 28, 1958 in Volume 301, Page 380, and recorded March 19, 1959 in Volume 310 Page 638, Deed Records of Klamath County, Oregon, but omitting restrictions, if any, based on race, color, religion or national origin.
6. Subject to a 15 foot building setback from Sturdivant Avenue, as shown on dedicated plat.
7. Subject to a utility easement along South lot line as shown on dedicated plat.
8. Subject to a proposed 15 foot wide irrigation ditch easement South of lot line as shown on dedicated plat.

The true and actual consideration for this conveyance is \$43,000.

AFTER RECORDING RETURN TO:

~~Aspen Title~~
~~525 Main Street~~
~~Klamath Falls, OR 97601~~

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

Bruce R. Voss
5240 Sturdivant
Klamath Falls, OR 97603

SPECIAL WARRANTY DEED (Continued)

Account Number C09005	County Tax Account Number R558239
--------------------------	--------------------------------------

SUBJECT TO CONTINUED:

9. Reservations, restrictions and easements as contained in plat dedication, to wit: "Said plat being subject to the following restrictions: 1. A 15-foot building set back line as shown. 2. An eight foot easement along the back of all lots for future sanitary sewers and public utilities, said easement to provide ingress and egress for construction and maintenance of such utilities with no structures being permitted thereon and any planting being placed thereon at the risk of the owner. 3. The use of the land is for residential purposes only and is limited to one residential building per lot. 4. Architectural standards shall be no less than the minimum requirements of the Federal Housing Authority specifications. The eight-foot easement along the back of all lots is granted to the public for utility use only as above specified and includes perpetual right for ditches to convey irrigation water as shown. This plat is approved subject to the following conditions: 1. The owners of the land in this subdivision, their heirs and assigns in whom title may be vested, shall always at their own expense properly maintain and operate such irrigation system. 2. The Klamath Irrigation District, its successors and assigns and the United States, person, firm, or corporation operating the irrigation works of the Klamath Irrigation District, shall never be liable for damage caused by improper construction, operation, or care of such system, or for lack of sufficient water for irrigation, liability of the operators of the Klamath Irrigation District being limited to furnishing water at established outlets of the K.I.D. lateral."
10. An easement, created by instrument, including the terms and provisions thereof: dated december 18, 1979; recorded December 26, 1979; Volume M79, Page 29562, Microfilm Records of Klamath County, Oregon; in favor of Klamath County; for 15 foot drainage easement to construct and maintain a drain pipe; affects Parcel 2.
11. Subject to the right of redemption arising from a Decree of Foreclosure in Case Number 86-486-CV in the Circuit Court of the State of Oregon for the County of Klamath. Said redemption period ends in accordance with ORS 23.560. In the case of such redemption, seller shall refund buyer the purchase price, plus interest at the rate of 9.0 per cent per annum. This amount will be reduced by \$476 per month as a reasonable rental for the use of the property.

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."

SPECIAL WARRANTY DEED (Continued)

12972

Account Number
C09005County Tax Account Number
R558239

IN WITNESS WHEREOF, the Director of the Oregon Department of Veterans' Affairs has caused these presents to be executed this June 1, 1993. The foregoing recital of consideration is true as I verily believe.

Director of Oregon Department of Veterans' Affairs

By

Joyce Emerson
Joyce Emerson
Accounts Services

STATE OF OREGON

)

County of Marion

) ss

)

June 1, 1993

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

Before me:

Richard S. Barker
Notary Public For Oregon

My Commission Expires: February 11, 1994

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title co the 7th day
of June A.D., 19 93 at 10:30 o'clock A M., and duly recorded in Vol. M93
of Deeds on Page 12970.

FEE \$40.00

Evelyn Biehn, County Clerk

By Darlene M. Henderson