

Return:

JACKSON COUNTY TITLE DIVISION  
CONTINENTAL LAWYERS TITLE COMPANY

Vol m93 Page 26110

69326

502 W. Main Street (P. O. Box 218) Medford, OR 97501 (503) 779-2811

MTC 31195  
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that,

ROBERT S. JOHNSON

hereinafter called the Grantor, for the consideration hereinafter stated, to Grantor paid by

CLEC EXCHANGE COMPANY, A CALIFORNIA CORPORATION

hereinafter called the Grantee, does hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property with the tenements, hereditaments and appurtenances therunto belonging or appertaining, situated in the County of KLANATH, State of Oregon, described as follows to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with Grantee and the heirs of the survivor and their assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, EXCEPT

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and that Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whatsoever, except those claiming under the above described encumbrances.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars is \$ EXCHANGE PROPERTIES ; however, the actual consideration consists of or includes other property or value given or promised which is THE WHOLE consideration.

WHERE THE CONTEXT SO REQUIRES, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to individuals and to corporations.

IN WITNESS WHEREOF, the grantor has executed this instrument this 5<sup>th</sup> day of October, 1993.

"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."


  
ROBERT S. JOHNSON

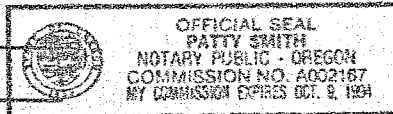
STATE OF OREGON  
COUNTY OF JACKSON

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of OCTOBER, 1993, by

ROBERT S. JOHNSON

SPACE FOR RECORDER'S USE

  
Notary Public for Oregon  
My commission expires 10-9-94



Mail Tax Statements to:  
Grantee  
4591 CLOUDCREST DRIVE  
MEDFORD, OR 97504

## EXHIBIT A

Lots 96, 97 and 98 of SECOND ADDITION TO SPORTSMAN PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

## SUBJECT TO:

1. Taxes for the fiscal year 1993-1994, a lien not yet due and payable.

Account No: 3606 003CB 00100

Key No: 311031

Code No: 008

Account No: 3606 003CB 00200

Key No: 311040

Code No: 008

Account No: 3606 003CB 00300

Key No: 311059

Code No: 008

2. Agreement, subject to the terms and provisions thereof, concerning the operation of the dam and control of the water levels of Upper Klamath Lake.

Dated: January 25, 1924

Recorded: February 15, 1924

Volume: 63, page 459 and 460, Deed Records of Klamath County, Oregon

3. Reservations as contained in the dedication of Second Addition to Sportsman Park, as follows:

"we do for ourselves, our heirs and assigns hereby dedicate, donate and convey, to the public for public use forever, the streets as shown on the annexed plat; subject to a 10 foot building setback line on the front of all lots and a 6 foot easement on the rear of all lots for future utilities."

4. Reservations and restrictions as contained in instrument recorded February 25, 1963 in Volume 346, page 487, Microfilm Records of Klamath County, Oregon, wherein Peggy M. Stivers is Grantor and Clarence D. Comstock is Grantee, to wit:

"and to the following building and use restrictions which Grantee, his heirs, grantees and assigns, assume and agree to fully observe and comply with, to wit:

- (1) That grantees will not suffer or permit any unlawful, unsightly or offensive use to be made of said premises nor will they suffer or permit anything to be done thereon which may be or become a nuisance or annoyance to the neighborhood.
- (2) That they will use said premises solely as a residence or summer home site.
- (3) That each said lot shall never be subdivided nor shall any less portion than the whole of said lot ever be sold, leased or conveyed, and that no building except one summer home or residence and the usual and necessary outbuildings thereto shall ever be erected thereon.
- (4) That no building shall ever be erected within 10 feet of any exterior property line.
- (5) That the foregoing covenants and restrictions are appurtenant to and for the benefit of each and every other lot in said Second Addition to Sportsman Park and shall forever run with the land and shall bind the premises herein conveyed for the benefit of each and every other lot in said addition and the foregoing covenants and restrictions shall be incorporated in and made a part of each and every other deed or conveyance hereafter executed for the purpose of conveying these premises."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 7th day  
of Oct. A.D., 19 93 at 3:03 o'clock P.M., and duly recorded in Vol. M93  
of Deeds on Page 26110.

FEE \$35.00

Evelyn Richn County Clerk

By Dorlene M. Richn