

85856

08-12-94A10:47 RCVD

MTCL 33563
WARRANTY DEED

Vol. 94 Page 24969

KNOW MEN BY THESE PRESENTS, THAT G. R. SANDOVAL, hereinafter called the "Grantor", for the consideration hereinafter stated, to Grantor paid by JOHN W. JAMES and GAYLE JAMES, husband and wife, hereinafter called "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 thereunto belonging or appertaining, situated in the County of Jackson, State of Oregon, described as follows, to-wit:

See Exhibit "A", a copy of which is attached hereto and by this reference incorporated herein.

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

And said Grantor hereby covenants to and with said Grantee and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances, except as above noted, 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 whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$3,000.00.

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

Mr. and Mrs. John W. James
925 Southside Road
Grants Pass OR 97527

AFTER RECORDING, RETURN TO:

GRANTLAND, GRENSKY & BLODGETT
ATTORNEYS AT LAW
204 West 9th St.
Medford, OR 97501

1 - WARRANTY DEED

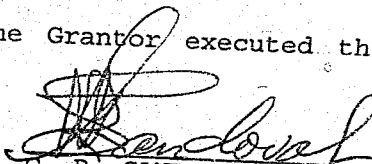
Law Offices Of
GRANTLAND, GRENSKY & BLODGETT
204 West 9th St.
Medford, OR 97501
(503) 773-8712

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.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

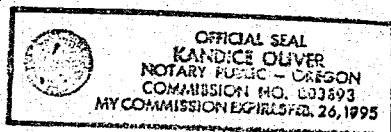
In construing this Deed and where the context so requires, the singular includes the plural.

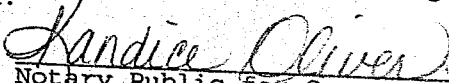
IN WITNESS WHEREOF, the Grantor executed this instrument this 8 day of August, 1994.


G. R. SANDOVAL

STATE OF OREGON)
 : ss.
County of Jackson)

Personally appeared before me this 8 day of August, 1994, the above named G. R. SANDOVAL and acknowledged the foregoing instrument to be his voluntary act and deed.




Notary Public for Oregon
My Commission Expires 2/26/95

Lot 103 SPORTSMAN PARK THIRD ADDITION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

SUBJECT TO THE FOLLOWING EXCEPTIONS:

1. a. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
- b. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. a. Easements, liens, encumbrances, interests or claims thereof which are not shown by any public records.
- b. Any facts, right, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession hereof.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
4. a. Unpatented mining claims.
- b. Reservations or exceptions in patents or in Acts authorizing the issuance thereof.
- c. Water rights, claims or title to water:
whether or not the matters excepted under (a), (b), or (c) are shown by public record
5. Any lien or right to a lien, for services, labor or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS

6. Taxes for the fiscal year 1994-1995, a lien not yet due and payable.
Account No: 3606-003AC-01100
Key No: 309179
Code No: 008
7. Agreement between the Klamath Development Co., a corporation, and Herbert Fleishhacker dated January 1917, recorded August 15, 1917 in Volume 3 of Miscellaneous records, page 275, Klamath County, Oregon, granting "The perpetual right to maintain said pipe line extending from that certain reservoir to water tank situate in the SE1/4 NW1/4 of Section 3, Township 36 South, Range 6 East of the Willamette Meridian, approximately 200 feet from the head of Pelican Creek and leading across the NE1/4 from Section 3 aforesaid and Lot 4 of Section 2, said Township and Range to the lands of the said Second Party situate in said Lot 4 of Section 2."
8. Agreement between Herbert Fleishhacker and May Belle Fleishhacker, husband and wife, and the California Oregon Power Company, a corporation, dated January 25, 1924, recorded February 15, 1924 in Volume 63, page 460, Deed Records of Klamath County, Oregon, relative to the raising and/or lowering of the waters of Upper Klamath Lake between the elevation of 4137 and 3143.3 feet above sea level.

9. Easement in Bargain and Sale Deed from Gus G. Johnson and Olive M. Johnson, husband and wife, to Robert Sloan and Peggy M. Sloan, dated February 16, 1948, recorded September 1, 1953 in Volume 262, page 581, Deed records of Klamath County, Oregon, as follows:

"Also the right to build necessary dike, drainage an irrigation ditches and locate a pumping plant on the NE1/4 SW1/4 of Section 3, Township 36 South, Range 6 East of the Willamette Meridian, and on the SW1/4 NE1/4 of Section 3, Township 36 South, Range 6 East of the Willamette Meridian."

10. Grant of right of way from Olive M. Johnson, a widow, to the California Oregon Power Co., a California corporation, dated November 3, 1955, recorded November 8, 1955 in Volume 279, page 99, Deed Records of Klamath County, Oregon.

12. Reservations and restrictions in the dedication of Third Addition to Sportsman Park:

"Subject to a 10-foot building set back line on the front of all lots and an 8 foot easement along the back of all lots for future sanitary sewers and public utilities, said easement to provide for ingress and egress for maintenance and construction of such utilities, no structures being permitted and any planting placed upon said easement shall be placed at the risk of the owner."

13. A 10 foot building setback from street as shown on dedicated plat.

14. Reservations and restrictions as contained in deed dated September 12, 1989 and recorded June 19, 1990 in Volume M90, page 11856, Microfilm Records of Klamath County, Oregon, to wit:

"All subject to: Agreements concerning the operation of the dam and control of the water levels of Upper Klamath Lake; Reservations and easements contained in the Dedication of Third Addition to Sportsman Park; Any easements of record and those apparent on the land, if any; Any matters suffered or created by Grantees; and to the following building and use restrictions which Grantees, their 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 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 are appurtenant to and for the benefit of each and every other lot in said Third 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
of Aug A.D., 19 94 at 10:47 o'clock A M., and duly recorded in Vol. M94
of Deeds on Page 24969
Evelyn Biehn
By Dorlene Muelendore County Clerk

FEE \$45.00