

WARRANTY DEED

ASPEN TITLE #05044140

AFTER RECORDING RETURN TO:
PAUL AMSTUTZ
LEZLIE C. SMITH-AMSTUTZ
1401 Wild Flum Of
Langth Fulls OR 4760/

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

MARK GORDON HERON AND CRISELDA HERON, hereinafter called GRANTOR(S), convey(s) to PAUL AMSTUTZ AND LEZLIE C. SMITH-AMSTUTZ, HUSBAND AND WIFE hereinafter called GRANTEE(S), all that real property situated in the County of KLAMATH, State of Oregon, described as:

Tracts 8 and 8B of LAKESHORE GARDENS, in the County of Klamath, State of Oregon.

LESS AND EXCEPT that portion of Tract 8B which was deeded to the City of Klamath Falls by instrument recorded October 23, 1974 in Volume M-74 at page 13973.

CODE 190 MAP 3808-25DA TAX LOT 1400 CODE 190 MAP 3808-25DA TAX LOT 2600

"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 TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.390."

And covenant(s) that grantor is the owner of the above described property free of all encumbrances except covenants, conditions, restrictions, reservations, rights, rights of way and easements of record, if any, and apparent upon the land, contracts and/or liens for irrigation and/or drainage, AND subject to a Trust Deed, including the terms and provisions thereof, on said property in the original face amount \$112,200.00, executed by Grantors herein on December 17, 1993, in favor of Award Mortgage Inc., as security for a loan guaranteed (or insured) by the Secretary of Veterans Affairs under 38 U.S. Code 1810, as amended, said Trust Deed being recorded on December 28, 1993, in Volume M-93, page 34826, of the records of Klamath County, Oregon State, upon which loan there is an unpaid indebtedness which the grantee hereby assume and agree to pay as part of the purchase price; and grantees also hereby assume all obligation of Mark Gordon Heron & Criselda Heron, under the terms of the instruments creating and securing the loan described above to indemnify the Secretary of Veterans Affairs to the extent of any claim because of the guaranty or insurance as said loan, and 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 \$124,000.00.

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 27TH day of DECEMBER 1995.

MARK GORDON HERON

CRISELDA HERON

STATE OF OREGON County of MULTADUAH

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