

22473

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Vol. 1796 Page 23438

Recording requested by and
after recording return to:
James A. Gardner
17600 Vandever Road
Bend, OR 97707

MTC 38235

STATUTORY WARRANTY DEED

W.

Ambrose and Susan McAuliffe, Grantors, convey and
warrant to James A. Gardner, Grantee, the real property
described in the attached Exhibit A free from all encumbrances
except those set forth in the attached Exhibit B.

The true and actual consideration for this conveyance
is other property or value given, which is part of the
consideration.

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 30.930.

EXECUTED this 30th day of July, 1996.

Ambrose W. McAuliffe
Ambrose McAuliffe

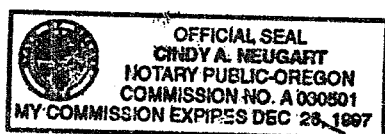
Susan McAuliffe
by Ambrose W. McAuliffe att. in fact
Susan McAuliffe by Ambrose McAuliffe,
her attorney-in-fact

Until a change is requested, tax statements should be sent to:

James A. Gardner
17600 Vandever Road
Bend, OR 97707

STATE OF OREGON)
) ss.
County of Deschutes)

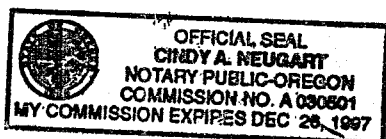
This instrument was acknowledged before me on this 30th day of July, 1996, by Ambrose McAuliffe.



NOTARY PUBLIC FOR OREGON
My Commission Expires: 12-26-97

[illegible]

This instrument was acknowledged before me on this 30th day of July, 1996, by Ambrose McAuliffe as attorney-in-fact for Susan McAuliffe.



NOTARY PUBLIC FOR OREGON
My Commission Expires: 12-26-97

EXHIBIT A

Lots 3 and 4 of Block 2, and the North $\frac{1}{2}$ of vacated B Street adjacent in Hoyt's Addition to Fort Klamath, according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon; and

Lots 4 and 21 of Section 15, Township 33 S., Range 7 $\frac{1}{2}$ E., W.M., Klamath County, Oregon.

Subject to: Conditions, regulations, restrictions, easements and rights of way of record and those apparent on the land.

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EXHIBIT B

1. Real property taxes to the extent not delinquent.
2. Rights of the public in and to any portion of the described premises lying within the limits of streets, roads or highways.
3. The assessment roll and the tax roll disclose that the premises have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.
4. Rights of the public and of governmental bodies in and to that portion of the premises, now or at any time lying below the high water mark of the Wood River, including any ownership rights which may be claimed by the State of Oregon, in and to any portion of the premises now or at any time lying below the ordinary high water mark thereof.
5. Any claim based on any prohibition or limitation on the use, occupancy, or improvements of the land resulting from the rights of the public to use any waters which may cover the land for fishing or navigation, or to use any portion of the land which is now or may formerly have been covered by water.
6. Agreement, subject to the terms and provisions thereof:
Dated: July 25, 1952
Recorded: October 28, 1952
Volume: 257, page 429, Deed Records of Klamath County, Oregon
First Party: Lloyd G. Nicholson and Dorothy Mae Nicholson,
J. Orth Sisemore and Elizabeth Sisemore,
Joseph Christopher McAuliffe and Lenore Codd
McAuliffe, and Loren Miller Co.
Second Party: Ira F. Orem and Marie Orem
For: Melhase Irrigation Ditch Easement
7. Agreement, subject to the terms and provisions thereof:
Dated: November 19, 1952
Recorded: January 17, 1953
Volume: 258, page 595, Deed Records of Klamath County, Oregon
First Party: Lloyd G. Nicholson and Dorothy Mae Nicholson,
J. Emmitt Sisemore, L. Orth Sisemore,
Elizabeth Sisemore; Joseph Christopher
McAuliffe and Lenore Codd McAuliffe; Ira F.
Orem and Marie Orem and Loren Miller Co.
Second Parties: J.P. McAuliffe and Nora McAuliffe

23442

8. Telephone Right of Way Easement, subject to the terms and provisions thereof;
Dated: February 19, 1988
Recorded: May 23, 1988
Volume: M88, page 7980, Microfilm Records of Klamath County, Oregon
In favor of: Telephone Utilities of Eastern Oregon, Inc.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of AmeriTitle the 1st day
of August A.D., 19 96 at 3:37 o'clock PM., and duly recorded in Vol. M96
of Deeds on Page 23438.
Bernetha G Letsch, County Clerk
By [Signature]

FEE \$50.00