



(Reserved for Recording Purposes)

SPECIAL WARRANTY DEED

ODVA Account Number	Tax Account Number
	R511422

IN CONSIDERATION of fulfillment of that certain Contract of Sale dated November 8, 1988, in the Face Value of \$35,600.00 and recorded on November 9, 1988, in Vol M88, page 18987, in Klamath County, the STATE OF OREGON, by and through the Director of the Oregon Department of Veterans' Affairs, grantor, conveys and specially warrants unto Donald W. Eck, grantee(s), all of the STATE OF OREGON's right, title and interest to the following described real property free of encumbrances created or suffered by the grantor on or before November 8, 1988, except as specifically set forth herein, situated at 5710 Casa Way, Klamath Falls, Oregon 97601-5118 in Klamath County, State of Oregon, to wit:

Lot 3 in Block 2 of CASA MANANA, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

AFTER RECORDING RETURN TO:

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

00 DONALD W ECK
2320 WHITE AVE
KLAMATH FALLS OR 976014334

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2320 WHITE AVE
KLAMATH FALLS OR 976014334

SUBJECT TO:

1. Any taxes for 2001-2002 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.
4. Reservations and restrictions as contained in plat dedication, to wit: "Said plat being subject to a building setback along all streets and avenues as shown on the annexed plat, a five foot side line setback along all lots and an easement along the back of all lots as shown on the annexed plat for present and future public utilities drainage and perpetual right-of-way for ditches to convey irrigation water as shown on the annexed plat; said easement to provide ingress and egress for construction and maintenance of such utilities with no structures being permitted thereon and plantings being placed thereon at the risk of the owners. And, 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 Enterprise Irrigation District, its successors and assigns and the irrigation works of the Enterprise 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 being limited to furnishing water at established outlets of the USBR lateral."
5. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Enterprise Irrigation District.
6. Reservations and easements, including the terms and provisions thereof, as set forth in deed from Pete Sather and Helen Sather, husband and wife, to Boyd F. Sprague and Georgiana C. Sprague, husband and wife, dated September 27, 1946, recorded August 11, 1950 in Volume 241, page 192, Deed Records of Klamath County, Oregon.
7. Subject to a 20 foot building setback from Casa Way as shown on dedicated plat.
8. Subject to an easement along South lot line for present and future public utilities, drainage and perpetual right of way for ditches to convey irrigation water as shown on the annexed plat.
9. Reservations contained in plat dedication, to wit: "Building setback along all streets and avenues as shown on the annexed plat, a five foot side line setback along all lots and an easement along the back of all lots as shown on the annexed plat for present and future public utilities, drainage and perpetual right-of-way for ditches to convey irrigation water as shown on the annexed plat; said easement to provide ingress and egress for construction and maintenance of such utilities with no structures being permitted thereon and plantings being placed thereon at the risk of the owners and 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 systems; (2) The Enterprise Irrigation District, its successors and assigns and the United States, person, firm or corporation operating the irrigation works of the Enterprise 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 being limited to furnishing water at established outlets of the USBR lateral."
10. Conditions and restrictions, but omitting restrictions, if any, based on race, color, religion or national origin, contained in that certain declaration recorded May 10, 1963 in Miscellaneous Volume 14, page 480, Records of Klamath County, Oregon.

"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."

57221

IN WITNESS WHEREOF, the State of Oregon, represented and acting by the Director of the Oregon Department of Veterans' Affairs, has caused these presents to be executed October 25, 2001, at Salem, Oregon. The foregoing recital of consideration is true as I verily believe.

DIRECTOR OF OREGON DEPARTMENT OF VETERANS' AFFAIRS - Lender

By: Joyce D. Hlopek
Joyce D. Hlopek, Accounts Services Manager

STATE OF OREGON)
)ss.
County of Marion)

On October 25, 2001,

this instrument was acknowledged before me by the above-named Joyce D. Hlopek, Accounts Services Manager, who personally appeared, and, being first duly sworn, did say that she is authorized to sign the foregoing document on behalf of the Oregon Department of Veterans' Affairs by authority of its Director.

Before me:

Tina Withereall
Notary Public for Oregon



State of Oregon, County of Klamath
Recorded 11/07/01 2:14 p.m.
In Vol. M01 Page 57219
Linda Smith,
County Clerk Fee\$ 31⁰⁰