

01 NOV 16 AM 10:55



After recording return to:

Jimmy H. Young

3985 Avenue A

White City, OR 97503

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

Jimmy H. Young

3985 Avenue A

White City, OR 97503

Escrow No. 01171511

Title No. K57904

THIS SPACE RESERVED FOR RECORDER'S USE

Vol. M01 Page 58832

State of Oregon, County of Klamath

Recorded 11/16/01 10:55 a m.

In Vol. M01, Page 58832

Linda Smith, County Clerk

Fee \$ 26<sup>00</sup> # of Pgs 2

### STATUTORY WARRANTY DEED

James A. Smejkal, Grantor, conveys and warrants to Jimmy H. Young and Kathryn M. Young, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

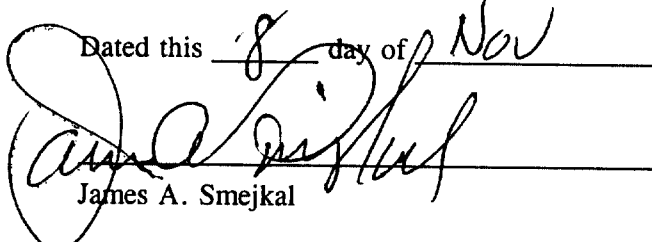
Lot 11 in Block 1 of Tall Pines Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

This property is free of liens and encumbrances, EXCEPT: Those items as set forth on the attached Exhibit "A".

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.

The true consideration for this conveyance is \$40,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 8 day of Nov, 01.

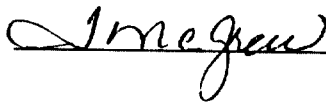
  
James A. Smejkal

STATE OF OREGON

County of Washington

} ss.

This instrument was acknowledged before me on this 8 day of November, 2001  
by James A. Smejkal



Notary Public for Oregon

My commission expires: 8-17-02



## EXHIBIT "A"

1. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of the Little Deschutes River and the ownership of the State of Oregon in and to that portion lying below the high water mark thereof.
2. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Little Deschutes River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
3. Covenants, Conditions and Restrictions, including the terms and provisions thereof, but deleting restrictions, if any, based on race, color, religion, sex handicap, familial status or national origin, imposed by instrument on the recorded plat/partition as follows: "(1) Dedicate, donate and convey to Klamath County the area shown on the annexed plat as a one-foot street plug, said area to be dedicated as public street when the county governing body deems it necessary; (2) all easements and reservations of record and additional restrictions as provided in any recorded protective covenants; (3) Rules, regulations and assessments of the "Tall Pines Estates Owners Association"; (4) building setbacks as required by the Klamath County Land Development Code.
4. Declaration of Conditions and Restrictions, including the terms and provisions thereof, but deleting restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin, imposed by instrument  
Executed by : James A. Smejkal  
Recorded : June 15, 1984 in Volume M84 page 10072, Deed records of Klamath County, Oregon  
  
As modified or amended by instrument  
Recorded : April 24, 1998 in Volume M98 page 13696, Deed records of Klamath County, Oregon.
5. Agreement for Installation of Electric Facilities, including the terms and provisions thereof,  
Dated : August 27, 1998  
Recorded : December 11, 1998 in Volume M98, Page 45408, Deed records of Klamath County, Oregon.  
Between: : Midstate Electric Cooperative, Inc., an Oregon cooperative corporation and James A. Smejkal, an individual.