

02-29 PM3:21

Order No. K-57384 B
Escrow No. K57384-B

Loan No.

WHEN RECORDED MAIL TO GRANTEE:

Jim Kelly
1865 Fremont
K. TOLSON OR 97601

1262823 State of Oregon

APN:

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State of Oregon, County of Klamath

Recorded 03/29/2002 3:21 p m.

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Linda Smith, County Clerk

Fee \$ 26.00 # of Pgs 2

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that Karl E. Wirkus and Kerry E. Wirkus, as tenants by the entirety, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by

TIMOTHY ~~X~~ KELLY

Hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

To have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.

And Grantor hereby covenants to and with 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 and that the grantor will warrant and forever defend the 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 \$ 114,000.00.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 1 day of August, 2000; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

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 DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Karl E. Wirkus

Kerry E. Wirkus

STATE OF Montana

COUNTY OF Yellowstone

SS.

On August 1, 2001 before me, Shelly Kirkness a notary public, personally appeared, Karl E. Wirkus and Kerry E. Wirkus, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Shelly Kirkness

My Commission Expires: 6/17/01

K24

Property Address: 2345 Auburn Street, Klamath Falls, OR 97601

EXHIBIT "A"

Lot 6 in Block 16 of THE TERRACES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, and that portion of lot 5 in Block 16 of The Terraces, described as follows:

Beginning at the Northwest corner of Lot 5 Block 16, THE TERRACES; thence South $62^{\circ}34'$ East along the Southwesterly line of a County road 56.5 feet; thence along the arc of a 169.52 foot radius curve to the left 71.5 feet more or less, to a point on the Easterly line of said Lot 5; thence Southerly 2.96 feet, more or less to the Southeast corner of said Lot 5; thence Westerly on a Southerly line of said Lot 5 to the Southwest corner of said Lot 5; thence Northerly on Westerly line of said Lot 5, 47.4 feet to the point of beginning.

TOGETHER with the vacated portion of Hillcrest Avenue adjacent thereto.