

OK

WARRANTY DEED

Vol M02 Page 29769

KNOW ALL MEN BY THESE PRESENTS, That CULBERTSONS KLAMATH FALLS KOA, a partnership

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by CHARLES T. MCCOSKEY and CLAUDIA R. MCCOSKEY, husband and wife, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

See Exhibit "A" attached hereto and made a part hereof

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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

And said grantor hereby covenants to and with said 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

except those set forth on Exhibit "B" attached hereto and made a part hereof

and that grantor will warrant and forever defend the said 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 \$ 399,900.00 .

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

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

In Witness Whereof, the grantor has executed this instrument this day of February, 19 86; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto 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.

By: *Paul E. Culbertson*
By: *Rebecca L. Culbertson*
By: *Walter R. Culbertson*
By: *Barbara M. Culbertson*

STATE OF OREGON,)
County of Klamath) ss.
February 27, 19 86.

STATE OF OREGON, County of) ss.
19 .

Personally appeared and

Personally appeared the above named Paul E. Culbertson, Rebecca L. Culbertson, Walter R. Culbertson & Barbara M. Culbertson

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 6-21-88

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,) ss.

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

SPACE RESERVED
FOR
RECORDER'S USE

State of Oregon, County of Klamath
Recorded 05/20/2002 11:15 a. m.
Vol M02, Pg 29769-71
Linda Smith, County Clerk
Fec \$ 31.00 # of Pgs 3

L,

ENCUMBRANCES

- 1) Regulations, including levies, liens and utility assessments of the City of Klamath Falls.
- 2) Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals, of Klamath Irrigation District.
- 3) Regulations, including levies, liens, assessments, rights of way and easements of the South Suburban Sanitary District, and as per Ordinance No. 29, recorded May 24, 1983, in Book M-83 at page 8062.
- 4) An easement, including the terms and provisions thereof:

Dated: December 18, 1972
 Recorded: December 21, 1972
 Book: M-72
 Page: 14686
 In favor of: Klamath County, Oregon, a governmental subdivision of the State of Oregon
 For: Right of way over subject property.
- 5) Contract, including the terms and provisions thereof:

Dated: May 21, 1976
 Recorded: June 11, 1976
 Book: M-76
 Page: 8701
 Vendor: Klamath Falls K.O. A., Inc.
 Vendee: Jean W. Reed and Mary A. Reed, husband and wife
- 6) Memorandum of Agreement, including the terms and provisions thereof:

Dated: March 31, 1978
 Recorded: April 13, 1978
 Book: M-78
 Page: 7166
 Vendor: Jean W. Reed and Mary A. Reed, husband and wife
 Vendee: Culbertson's Klamath Fall K.O.A., a partnership, consisting of Walter R. Culbertson, Barbara M. Culbertson, Paul E. Culbertson and Rebecca L. Culbertson, partners
- 7) Any improvement located upon the insured property, which constitutes a mobile home as defined by Chapter 481, Oregon Revised Statutes, subject to registration and taxation as therein provided and as provided by Chapter 308, Oregon Revised Statutes.
- 8) Easement, including the terms and provisions thereof:

For: Construction and maintenance of a retaining wall
 Granted to: Klamath County
 Recorded: May 11, 1978
 Book: M-78
 Page: 9591
- 9) Easement, including the terms and provisions thereof:

For: Construction and maintenance of a retaining wall
 Granted to: Klamath County
 Recorded: July 18, 1978
 Book: M-78
 Page: 15478

EXHIBIT "B"

EXHIBIT "A"

That part of Tract 22A of ENTERPRISE TRACTS, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point on the North right of way line of Shasta Way which lies North $89^{\circ} 08'$ East a distance of 2782.3 feet and North $0^{\circ} 49'$ West a distance of 15 feet from the iron pin which marks the Southwest corner of Section 34, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and running thence North $0^{\circ} 49'$ West a distance of 300 feet to a point; thence South $89^{\circ} 08'$ West a distance of 115 feet to an iron pin; thence North $1^{\circ} 17'$ East a distance of 372 feet to an iron pin which lies on the Southerly right of way line of the U.S.R.S. "A" Canal; thence Easterly and Southerly following the Southerly right of way line of the "A" Canal to its intersection with the North right of way line of Shasta Way; thence Westerly along the North right of way line of Shasta Way to the point of beginning.

EXCEPTING THEREFROM a parcel of land located in Tract 22A, ENTERPRISE TRACTS SUBDIVISION, situated in Section 34, Township 38 South, Range 9 East of the Willamette Meridian, more particularly described as follows:

Beginning at a point on the Southerly right of way line of the U.S.R.S. "A" Canal, from which the most Northerly corner of that property described in Deed Volume M-67 at page 1935 of Deed Records of Klamath County, Oregon, bears North $52^{\circ} 20' 50''$ West a distance of 471.98 feet; thence South $34^{\circ} 28' 20''$ West, 22.00 feet; thence South $55^{\circ} 31' 40''$ East, 46.00 feet; thence North $34^{\circ} 28' 20''$ East, 22.00 feet, more or less, to the Southerly right of way line of the U.S.R.S. "A" Canal; thence North-westerly along said line, 46.00 feet, more or less, to the point of beginning, with the above described bearings being based on those shown in Deed Volume M-67 at page 1935, Klamath County, Deed Records.