

WJC-1396-5480

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SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That FLOYD N. BABCOCK AND MILDRED F. BABCOCK, TRUSTEES OF THE FLOYD N. AND MILDRED F. BABCOCK REVOCABLE LIVING TRUST,* hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto OTTO N. ELLIOTT AND MARY C. ELLIOTT, HUSBAND AND WIFE hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of KLAMATH State of Oregon, described as follows, to-wit:

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*AGREEMENT, DATED MAY 11, 1994

LOT 1 IN BLOCK 1, OF WAGON TRAIL ACREAGES NUMBER TWO, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

AMERITITLE has recorded this instrument by request as an accommodation only, and has not examined it for regularity and sufficiency or as to its effect upon the title to any real property that may be described therein

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IN FULFILLMENT OF CONTRACT OF SALE DATED OCTOBER 24, 2002 AND RECORDED OCTOBER 25, 2002 IN VOLUME M02, PAGE 61075, RECORDS OF KLAMATH COUNTY, OREGON

THIS DEED IS BEING RE RECORDED TO CORRECT A SCRIVNORS ERROR IN THE LEGAL DESCRIPTION

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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

And the grantor hereby covenants to and with the grantee and grantee's heirs, successors and assigns that the real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$153,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

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 24TH day of OCTOBER 2002, 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 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.

FLOYD N. BABCOCK, TRUSTEE

MILDRED F. BABCOCK, TRUSTEE

STATE OF OREGON, County of DESCHUTES) ss.

This instrument was acknowledged before me on OCTOBER 24, 2002, by FLOYD N. BABCOCK, TRUSTEE AND SIGNED BY STAMP AND MILDRED F. BABCOCK. This instrument was acknowledged before me by TRUSTEE, IN HER OWN WRITING.



Notary Public for Oregon
My commission expires 10/07/06

FLOYD N. AND MILDRED F. BABCOCK
TRUSTEES OF THE FLOYD N. AND MILDRED
F. BABCOCK REVOCABLE LIVING TRUST

Grantor's Name and Address

OTTO N. AND MARY C. ELLIOTT
1751 Yoke Rd.
LaPine, OR 97739

Grantee's Name and Address

After recording return to (Name, Address, Zip):
OTTO N. ELLIOTT AND MARY C. ELLIOTT
1751 Yoke Rd.
LaPine, OR 97739

Until requested otherwise send all tax statements to (Name, Address, Zip):
NO CHANGE

State of Oregon, County of Klamath
Recorded 12/29/03 3:05 p m
Vol M03 Pg 93659
Linda Smith, County Clerk
Fee \$ 21.00 # of Pgs 1
RR

SPACE RESERVED
FOR
RECORDER'S USE

State of Oregon, County of Klamath
Recorded 10/23/03 11:04 a m
Vol M03 Pg 78733
Linda Smith, County Clerk
Fee \$ 21.00 # of Pgs 1

21.00 A
RR