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State of Oregon, County of Klamath  
Recorded 07/09/2004 10:08a m  
Vol M04 Pg 44918-20  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

RETURN TO: Brandsness, Brandsness, Rudd & Bunch P.C. 411 Pine Street Klamath Falls, OR 97601	MAIL TAX STATEMENTS: Harbor Isles Tennis Club P.O. Box 1329 Klamath Falls, OR 97601
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-SPECIAL WARRANTY DEED-

Trendwest Development Company, a.k.a. Trendwest, Inc.,  
Grantor, convey and specially warrants to Harbor Isles Tennis  
Club, Grantee, the following described real property situated in  
Klamath County, Oregon:

See Attached Exhibit "A"

Free of encumbrances except as specifically set forth below:

1. Flood Plain - The FEMA flood level for this property is 4,142 feet above sea level. The flood level of the tennis building as it existed on June 9, 2003 is 4,142.2 feet and a portion of the addition to be built is 4,142.2 and 4,140.2 respectively. The building upon the property is built below the flood plain as designated by FEMA. As of the date of this conveyance the Grantor(s) of the property is aware of the elevation. The Grantor(s) is self-insured and does not carry flood insurance through a public insurance agency. The existing building upon the property and any proposed additions after the date of this conveyance have been designed to accommodate any floods and to ensure public safety and to prevent potential damage to the buildings. This Deed Restriction is placed upon this Deed at the request of the Klamath County Building Department to ensure notification to successive landowners and shall run with the land.

2. The property conveyed herein consists of more than one lot or parcel. No individual lot or parcel conveyed herein may be sold separately unless the common structure is

removed or the existing structure contains a firewall between the two lots or parcels and the buildings meet all City of Klamath Falls Code setback requirements.

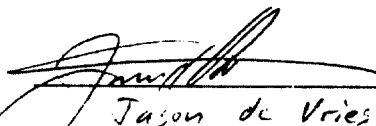
3. These Deed Restrictions may not be removed without the written consent of the Klamath County Building Department and the City of Klamath Falls Planning Department.

The true and actual consideration for this conveyance is \$ 10.00.

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.


Until a change is requested, all tax statements shall be mailed to Grantee at: Harbor Isles Tennis Club, P.O. Box 1329, Klamath Falls, Oregon, 97601.

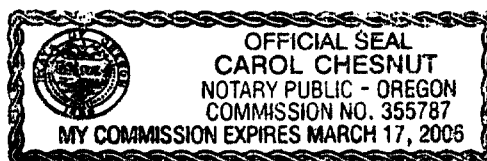
DATED this 9<sup>th</sup> day of July 2004.

  
Jason de Vries

STATE OF OREGON            )  
                                  ) ss. July 9, 2004.  
County of Klamath        )

Personally appeared the above-named Jason de Vries  
and acknowledged the foregoing instrument to be his voluntary  
act. Before me:

  
Notary Public for Oregon  
My Commission expires: 3-17-06



## PARCEL 1:

That portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying Easterly and Southerly of Harbor Isles, a platted subdivision in Klamath County, Oregon, and Northerly of Bismark Street and Northerly of Shippington First Addition, a platted subdivision in Klamath County, Oregon, and Easterly of the East right of way of Front Street.

EXCEPTING a 15.15' wide strip of land lying North of Lots 7 and 8, Blk. 1, Shippington First Addition.

## PARCEL 2:

Shippington 1<sup>st</sup> Addition, Block 1, Vac 94-29, Lot Lt 8 NE  $\frac{1}{4}$