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State of Oregon, County of Klamath  
Recorded 08/06/04 2:48 p m  
Vol M04 Pg 51781-82  
Linda Smith, County Clerk  
Fee \$ 26<sup>00</sup> # of Pgs 2

**WARRANTY DEED**

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KNOW ALL MEN BY THESE PRESENTS, that SouthView Properties, LLC, an Oregon limited liability company (hereinafter referred to as "Grantor"), does hereby bargain, sell, grant, convey and warrant to the SouthView Master Association, an Oregon not for profit corporation (hereinafter referred to as "Grantee") the following real property free of all encumbrances except as specifically set forth herein:

All private ways, together with such common use improvements as may be located within said private ways as provided for and set forth on that certain subdivision plat commonly referred to as Tract 1416 – The Woodlands Phase 1 located within the City of Klamath Falls, Klamath County, Oregon including but not limited to streets and roads; sanitary sewer conveyance systems; stormwater conveyance systems; stormwater drainage ways; street lighting systems; common area sidewalks and common areas.

The true consideration for this conveyance is Ten Dollars (\$10.00) and other good and valuable consideration.

**THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:**

1. Reservation of Nonexclusive Right to Construct and Maintain Improvements.  
Grantor, its successors and assigns, hereby reserves a non-exclusive right to encroach upon the private ways conveyed herein for the purpose of placing certain private use improvements including but not limited to potable water supply lines and equipment and telecommunication and entertainment transmission lines and equipment, provided however that upon the installation of any such improvements or upon completion of Grantor's ongoing maintenance or inspection of any such improvements, Grantor shall restore the private ways to the same condition as existed prior to Grantor's entry into the private ways.
2. Grant of Public Utility Easements. Grantor has granted certain nonexclusive public utility easements for the purpose of providing public utility services to certain real property located adjacent to the private ways.

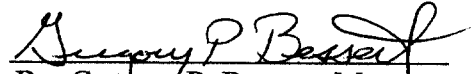
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

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IN WITNESS WHEREOF, I have hereunto set my hand the 6<sup>th</sup> day of August, 2004.


SOUTHVIEW PROPERTIES, LLC  
An Oregon limited liability company

  
By: Gregory P. Bessert, Manager

STATE OF OREGON           )  
  ) ss.  
COUNTY OF KLAMATH    )

On the 6<sup>th</sup> of August, 2004, before me, Sarah Wiseman Notary Public in and for the State of Oregon, personally appeared Gregory P. Bessert, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to within this document, and acknowledged to me that he executed the same in his official capacity, and that by his signature on the document the entity upon whose behalf of which the person acted, executed this document.



  
Notary Public for Oregon  
My commission expires: 10/16/06