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MTZ- 66110

Vol M04 Page 59147

State of Oregon, County of Klamath
Recorded 09/03/04 11:00 a m
Vol M04 Pg 59147-48
Linda Smith, County Clerk
Fee \$ 26⁰⁰ # of Pgs 2

After recording return to:

James H. Howarth

PO Box 578

Yachats, OR 97498

Until a change is requested all
tax statements shall be sent to
The following address:

James H. Howarth

PO Box 578

Yachats, OR 97498

Escrow No. BT068163GC

STATUTORY WARRANTY DEED

American Cash Equities, Inc., an Oregon Corporation, Grantor(s) hereby convey and warrant to **James H. Howarth and Annette M. Howarth, as tenants by the entirety**, Grantee(s) the following described real property in the County of **Klamath** and State of Oregon, free of encumbrances except as specifically set forth herein:

Lot 49 in DIAMOND PEAKS, TRACT NO. 1355, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

2407-007C0-03700-000

Key No.886997

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Walker Range Timber Fire Patrol. 2. Statements contained on the face of the recorded plat of Diamond Peaks, Tract No. 1355. 3. Easements as dedicated or delineated on the recorded plat for drainage. 4. Easements as dedicated or delineated on the recorded plat for slope. 5. Easements as dedicated or delineated on the recorded plat for ingress and egress. 6. Covenants, conditions and restrictions recorded February 12, 2002, Volume M02, Page 8514, re-recorded June 20, 2003, Volume M03, Page 42377, Microfilm Records of Klamath County, Oregon. 7. Rules, regulations, levies and assessments of The Diamond Peaks Tract 1355 Homeowner's Association recorded February 12, 2002, Volume M02, Page 8514, re-recorded June 20, 2003, Volume M03, Page 42377, Microfilm Records of Klamath County, Oregon.

House trailers, mobile homes and manufactured homes are strictly prohibited throughout the properties. All homes are to be built as per the standards provided in the Covenants, Conditions and Restrictions of each property's respective Homeowners Association.

The true and actual consideration for this conveyance is **\$27,000.00**.

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.

Dated this 30th day of August, 2004.

American Cash Equities, Inc.

BY: 

Joel Gisler, President



59148

State of Oregon
County of Deschutes

This instrument was acknowledged before me on August 30, 2004 by American Cash Equities, Inc..

Glenda Cruz
(Notary Public for Oregon)

My commission expires 4-20-2007

