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mtc-60863

Vol M04 Page 74747



State of Oregon, County of Klamath
Recorded 11/01/04 10:59 a m
Vol M04 Pg 74747-48
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

THIS SPACE RESEI

After recording return to:
Nadel Investments LLC
6 Starboard Court
Mill Valley, Ca. 94941

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

Nadel Investments LLC
6 Starboard Court
Mill Valley, Ca. 94941

Escrow No. BT069784GC

STATUTORY WARRANTY DEED

Patrick M. Gisler, Grantor(s) hereby convey and warrant to Nadel Investments LLC, Grantee(s) the following described real property in the County of Klamath County and State of Oregon, free of encumbrances except as specifically set forth herein:

Lots 10 and 11 in Block 1 of TRACT 1074, LEISURE WOODS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

Key No. 146265 2407-007B0-01500-000
Key No. 146256 2407-007B0-01400-000

The above-described property is free of encumbrances except those shown below.

Exhibit A Attached

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.

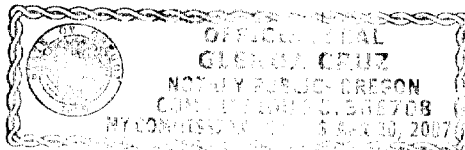
The true and actual consideration for this conveyance is \$95,000.00.

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 29th day of October, 2004.

Patrick M. Gisler

By: [Signature]
Steven Trono, His Attorney in Fact



State of Oregon
County of Deschutes

On this the 29th day of October, 2004, personally appeared Steven Trono, as attorney in fact for Patrick M. Gisler and that he executed the foregoing instrument by authority of and in behalf of said principal; and he acknowledged said instruments to be the act and deed of said principal. 1K10-2444

Before me:

[Signature]
(Notary Public for Oregon)
My commission expires 4-10-2007

260 am

SPECIAL EXCEPTIONS:

1. Taxes for the fiscal year 2004-2005, a lien now due and payable.

Account No.: 2407-007B0-01500-000
 Amount: \$66.51

Key No.: 146265
 Code No.: 051

Affects: Lot 10, Block 1

Account No.: 2407-007B0-01400-000
 Amount: \$66.51

Key No.: 142256
 Code No.: 051

Affects: Lot 11, Block 1

TAXES FOR 2004-05 PAID IN FULL

2. 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.

3. Covenants, conditions and restrictions as shown on the recorded plat of Tract 1074 – Leisure Woods, as follow:

Does hereby dedicate, donate, and convey to the public use forever, all streets, easements, pedestrian ways, said plat being subject to: A 25 foot side yard building setback; A 50 foot front line building setback, and a 25 foot rear setback; Building and land use restrictions as filed and recorded in Klamath County Recorder's Records.

4. Easements as dedicated or delineated on the recorded plat.

For: Drainage

Affects: The Northerly 8 feet of Lot 11

5. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin, unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons, subject to the terms and provisions thereof,

Recorded: May 17, 2000

Volume: M00, page 17878, Microfilm Records of Klamath County, Oregon

Said covenants, conditions and restrictions contain among other things provisions for levies and assessments of the Diamond Meadows Road and Utility Association.

6. Covenants, conditions and restrictions, but omitting restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

Provisions thereof,

Recorded: February 12, 2002

Volume: M02, page 8514, Microfilm Records of Klamath County, Oregon.

Re-recorded: June 20, 2003

Volume: M03, page 42377, Microfilm Records of Klamath County, Oregon.

7. Said covenants, conditions and restrictions contain among other things provisions for levies and assessments of The Diamond Peaks Tract #1355 Homeowners Association, Inc.

(Note: Assessments include regular annual or regular periodic assessments or charges and utility reimbursements for the maintenance of the roadways and utility facilities, costs of administration of a road and utility maintenance program and costs necessary to operate the Association in a continuous manner. Initial assessments include, but are not limited to: \$50.00 per year road maintenance; \$50.00 per year fire hydrant system; \$500.00 water system hook-up fee; \$50.00 per quarter for domestic water service; \$9,760.00 per lot systems development charge; \$14.00 per month or as amended for standby power.)

End of Exceptions