

M05-61827

08/12/2005 12:07:52 PM

Of Pages 3 Fee: \$31.00



After recording return to:
Patricia Agard and Timothy Dwayne
Roy Agard
2027 Main Street
Klamath Falls, OR 97601

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

Patricia Agard and Timothy Dwayne
Roy Agard
2027 Main Street
Klamath Falls, OR 97601

File No.: 7021-438091 (SAC)

Date: May 25, 2005

STATUTORY WARRANTY DEED

James Gary Elsberry, Grantor, conveys and warrants to **Patricia Agard and Timothy Dwayne Roy Agard, not as tenants in common but with right of survivorship.**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT:

Subject to: An existing Trust Deed of record, recorded November 7, 2000, Volume M00, Page 40457, in favor of John F. Patterson and Linda K. Hall, in the original amount of \$25,000.00

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

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.

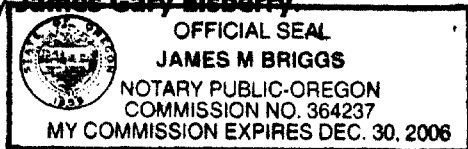
The true consideration for this conveyance is **\$20,158.92**. (Here comply with requirements of ORS 93.030)

Dated this 5 day of August, 2005.

James Gary Elsberry
James Gary Elsberry

STATE OF Oregon)
County of Marion)ss.

This instrument was acknowledged before me on this 5 day of August, 2005 yr
by James Gary Elsberry



James M. Briggs
James M. Briggs
Notary Public for Oregon
My commission expires: 12/30/06

EXHIBIT A**LEGAL DESCRIPTION:**

Beginning at a point South 89°18' East a distance of 1205.4 feet from the Southeast corner of Block 57, Second Hot Springs Addition to the City of Klamath Falls, Oregon, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; thence North 0°42' East a distance of 129.45 feet; thence South 89°18' East a distance of 21.5 feet; thence in a Southerly direction 23.2 feet, more or less, parallel with the Southerly line of the U. S. Canal right of way to a line parallel with West line of property; thence South 0°42' West a distance of 118.3 feet; thence North 89°18' West a distance of 42.6 feet to the point of beginning, all lying in the S 1/2 of the SE 1/4 of the SW 1/4 of Section 28, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.