



State Of Oregon, County Of Klamath

M05-62895

08/26/2005 02:56:51 PM

# Of Pages 2

Fee: \$26.00

**After Recording Return To:**

Ticor Title  
300 W. Anderson Ave.  
P.O. Box 1075  
Coos Bay OR 97420

**Send Tax Statements To:**

Rod W. Atterbury  
Carolyn Atterbury  
PO Box 671  
Reedsport OR 97467

Title Order No. 0071266

Escrow No. 47-87505

Tax Account No. R164379

**WARRANTY DEED**

(ORS 93.850)

<sup>L. 311</sup>  
**Wayne W. Henderson and Sandra Henderson, as tenants by the entirety, Grantor,**  
conveys and warrants to **Rod W. Atterbury and Carolyn Atterbury, as tenants by the**  
**entirety, Grantee,** the following described real property free of encumbrances except as  
specifically set forth herein:

**See Exhibit 'A' attached hereto and by reference made a part hereof.**

**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 \$25,000.00.

Dated this 24 day of August, 2005.

Wayne W. Henderson  
Wayne W. Henderson

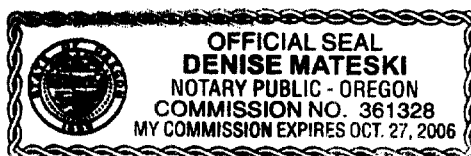
Sandra L. Henderson  
Sandra Henderson

State of OR, County of Klamath )ss.

This instrument was acknowledged before me on August 24, 2005  
by Wayne W. Henderson and Sandra Henderson.

Denise Mateski  
Notary Public

My commission expires: 10-27-06



W. W.

**EXHIBIT 'A'**Legal Description:

Lot 11 in Block 15 of Tract 1042, Two Rivers North, according to the official plat thereof on file in the office of the Count Clerk of Klamath County, Oregon.

Subject to:

Taxes for the fiscal year 2005-2006, a lien not yet due and payable.

Account No.: 2607-001B0-06100-000      Key No.: 164379

Code No.: 252

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.

Reservations and restrictions contained in Deed from the State of Oregon, to Elizabeth A. Platts, dated June 29, 1907, recorded December 2, 1907 in Deed Volume 23, Page 302, Records of Klamath County, Oregon, as follows:

"Subject, however, to rights of way for ditches, canals, and reservoir sites for irrigation purposes, construction, or which may be constructed by authority of the United States or otherwise which right of way is hereby expressly reserved."

A 25 foot building setback line as shown on dedicated plat.

Restrictions as contained in plat dedication, to wit:

"(1) Building setback lines as shown on the annexed plat; (2) A 16 foot public utilities easement centered on all back and side lot lines for the purpose of constructing and maintaining said public utilities, with any fences or plantings to be placed thereon at the lot owners risk; (3) One foot street plugs and reserve strips as shown on the annexed plat to be dedicated to Klamath County and later released by resolution of the county Commissioners when the adjoining property is developed; (4) All sanitary facilities subject to the approval of the county Sanitarian; (5) Rear lot lines of those lots on Little Deschutes River and Hemlock Creek are in the center of the main channel and will remain in the center of said channel regardless of any meandering of said channel; (6) Sanitary setback lines from Little Deschutes River and Hemlock Creek as shown on the annexed plat; (7) A 15 foot easement for public use, measured horizontally inland from the mean high water line of each side of Little Deschutes River and Hemlock Creek; (8) Access to Two River Road is vacated on all lots fronting on Two Rivers Road except Lots 8 and 9 of Block 10; (9) All easements on reservations of record."

Subject to Sanitary setback lines as shown on dedicated plat.

Subject to flood plain line as shown on dedicated plat.

Electric Service Agreement, subject to the terms and provisions thereof:

Dated: April 30, 1986

Recorded: August 26, 1986

Volume: M86, page 15291, Microfilm Records of Klamath County, Oregon

First Party: Midstate Electric Cooperative, Inc.

Second Party: Gerald L. Burtraw, Jr.

An easement created by instrument, subject to the terms and provisions thereof,

Dated: June 1, 1973

Recorded: May 16, 2001

Volume: M01, page 22526, Microfilm Records of Klamath County, Oregon

In favor of: Midstate Electric Cooperative, Inc.

For: Electric wires and facilities