

**M06-12848**

Klamath County, Oregon

06/22/2006 03:46:53 PM

Pages 5 Fee: \$41.00

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Elisa Olson, City Recorder  
500 Klamath Avenue  
Klamath Falls, OR 97601

1st - 797087

**WARRANTY DEED  
STATUTORY FORM**

**Gilbert Charles Axell, Jr.** (hereinafter referred to as Grantor whether singular or plural), for and in consideration of valuable consideration as set out in part below, hereby conveys and warrants to the **City of Klamath Falls and its successors and assigns** (hereinafter referred to as Grantee), the following described real property, free of encumbrances except as specifically set forth herein, situated in the City of Klamath Falls, County of Klamath, State of Oregon, that is bounded and described as follows, to-wit:

Lot 9 Block 203 Mills Second Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, LESS portion theretofore conveyed to State of Oregon for highway purposes and LESS a portion of Lot 9, Block 203, reserved for an alley right-of way, more particularly described as follows:

Commencing at the intersection of the northeasterly right-of-way line of South Sixth Street, as conveyed to the State of Oregon in 1946, and the northerly line of said Lot 9; thence South 89°51'21" East, 4.36 to the True Point of Beginning; thence along the said northerly line of Lot 9, South 89°51'21" East, 49.35 feet; thence South 33°19'56" West, 27.01 feet; thence North 56°40'04" West, 41.30 feet to the point of beginning. Containing 558 square feet more or less.

Also: Commencing at the Southeast corner of Lot 7, Block 203 of Mills Second Addition to the City of Klamath Falls, Oregon, and running thence Northerly along the East line of said Lot a distance of 34 feet to a point; thence Westerly parallel with the South line of said Lot a distance of 40 feet; thence Southerly a distance of 34 feet to the South line of said lot; thence East a distance of 40 feet to the point of beginning.

And generally shown on:

See Exhibits "A" and "B" attached hereto and incorporated by reference and made part of this document as though fully incorporated herein.

Reserving, however, unto the Grantor, its successors and assigns, the following: NONE.

Said property is free and clear of taxes, liens and encumbrances, except Conditions, Restrictions, Restrictive Covenants and Easements of Record, if any.

41. - F

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS THAT, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND THAT LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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, THE EXISTENCE OF FIRE PROTECTION FOR STRUCTURES AND THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 [BALLOT MEASURE 37 (2004)].


BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 [BALLOT MEASURE 37 (2004)]. THIS INSTRUMENT DOES 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 [BALLOT MEASURE 37 (2004)]

The true consideration for this conveyance is **One Hundred Twenty Nine Thousand and No/100 Dollars (\$129,000.00)** and other good and valuable consideration (as specified per the requirements of ORS 93.030).

It is understood and agreed that the delivery of this deed is hereby tendered and the terms and obligations hereof shall not become binding until this document is accepted and approved by the City of Klamath Falls.

DATED this 22 day of June, 2006.

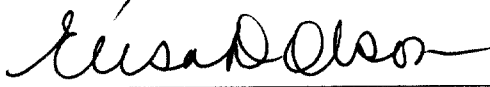
**GRANTOR**

  
Gilbert Charles Axell, Jr.

**GRANTEE**

Accepted on behalf of the City of Klamath Falls

By:   
Jeff Ball, City Manager

By:   
Elisa D. Olson, City Recorder

STATE OF OREGON                    )  
  ) ss.  
County of Klamath                    )

This instrument was acknowledged before me on June 22, 2006 (date) by Gilbert Charles Axell, Jr.

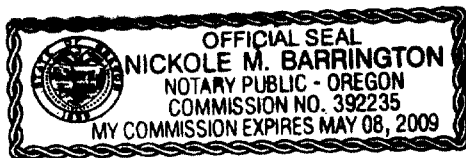


Notary's Signature \_\_\_\_\_  
My Commission Expires: 11/7/09

STATE OF OREGON                    )  
  ) ss.  
County of Klamath                    )

I hereby certify that I know or have satisfactory evidence that Jeff Ball appeared before me, being the City Manager of The City of Klamath Falls, OR, and acknowledged that ~~he~~<sup>she</sup> signed this instrument on behalf of said entity for the uses and purposes mentioned in this instrument.

Date: 6-20-06

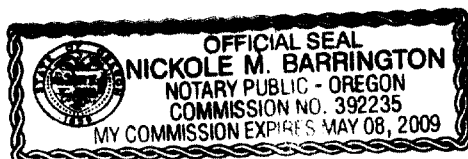


Nickole M. Barrington  
Notary Public in and for the State of OR  
My commission expires: 5-8-2009

STATE OF OREGON                    )  
  ) ss.  
County of Klamath                    )

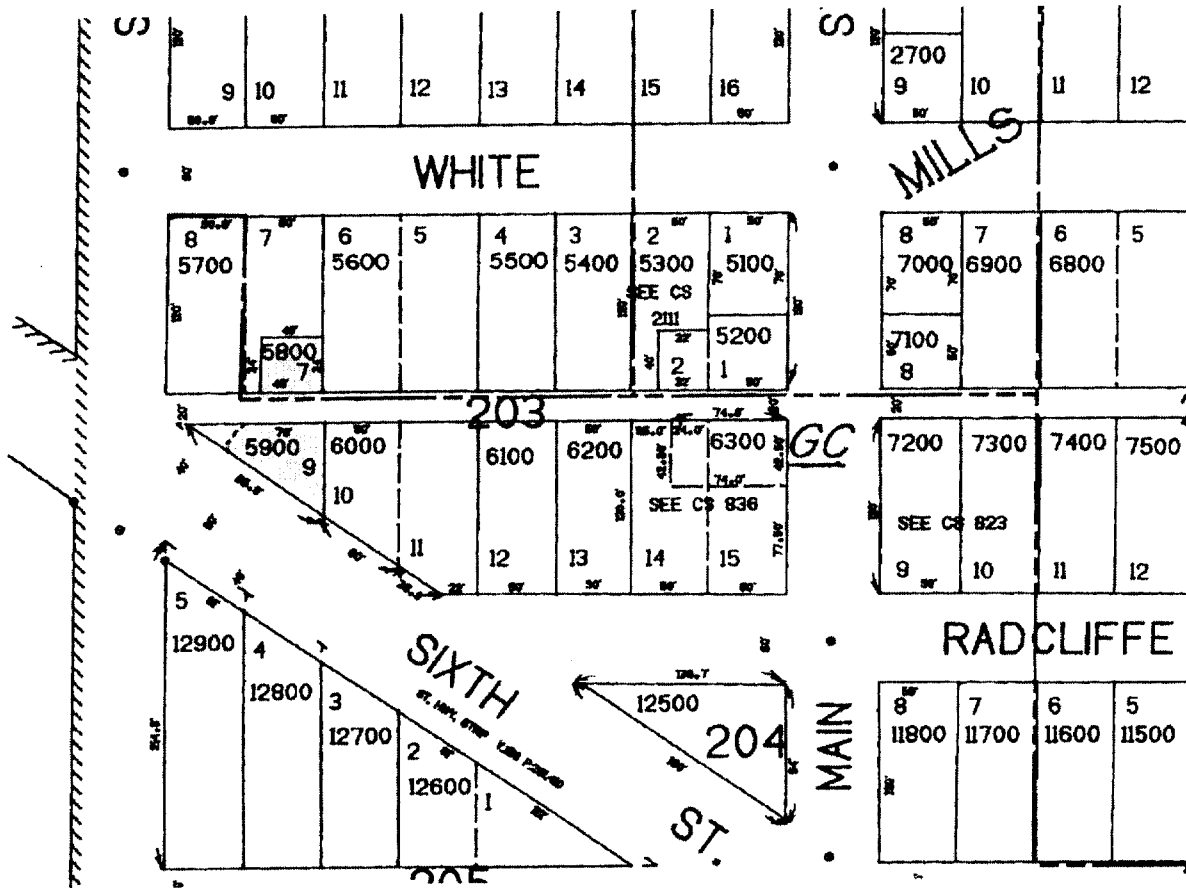
I hereby certify that I know or have satisfactory evidence that Elissa D. Olson appeared before me, being the City Recorder of The City of Klamath Falls, OR, and acknowledged that ~~he~~<sup>she</sup> signed this instrument on behalf of said entity for the uses and purposes mentioned in this instrument.

Date: 6-20-06



Nickole M. Barrington  
Notary Public in and for the State of OR  
My commission expires: 5-8-2009

# EXHIBIT "A"



# EXHIBIT "B"

