

1st 371459

Vol M04 Page 35646

State of Oregon, County of Klamath
 Recorded 06/03/2004 11:12a m
 Vol M04 Pg 35646.48
 Linda Smith, County Clerk
 Fee \$ 3.10 # of Pgs 3

WARRANTY DEED -- STATUTORY FORM

THEODORE D. PHIBBS and ROSELYN PHIBBS, husband and wife, Grantor,

conveys and warrants to

PAUL BIVENS, an individual, Grantee,

the following described real property, free of encumbrances except as specifically set forth herein, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

Tax Account No(s): 87845


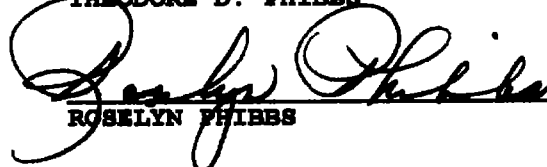
Map/Tax Lot No(s): 2808-18-400

This property is free from encumbrances, EXCEPT: All those matters described on attached Exhibit B, which is made a part hereof by this reference, and any discrepancies, conflict in boundry lines, shortage in area, encroachments or other facts which a correct survey would disclose.

The true consideration for this conveyance is \$ 80,000.00.

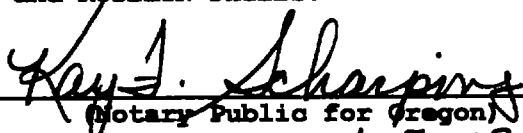
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

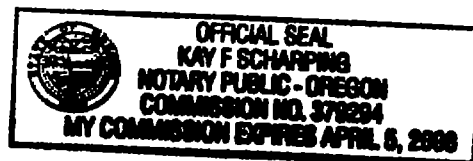
Dated this 28 day of May, 2004.


 THEODORE D. PHIBBS

 ROSELYN PHIBBS

STATE OF OREGON, COUNTY OF ~~DESCHUTES~~ ^{Lane} SS.

This instrument was acknowledged before me on May 28, 2004 by THEODORE D. PHIBBS and ROSELYN PHIBBS.


 (Notary Public for Oregon)
 My commission expires 4-5-08



After recording return to:
 WESTERN TITLE & ESCROW COMPANY
 16455 WILLIAM FOSS ROAD
 LA PINE, OR 97739

Until a change is requested all tax statements shall be sent to the following address:
 PAUL BIVENS
 145660 HWY. 97
 LA PINE, OR 97739

TITLE NO. 7029371459
 ESCROW NO. 14-0025804

Exhibit "A"

Real property in the County of Klamath, State of Oregon, described as follows:

Parcel 1:

Parcel A of Major Land Partition 62-83, being the NE 1/4 of the SW 1/4 of Section 18, Township 28 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 2:

Parcel B of Major Land Partition 62-83, being the SE 1/4 of the NW 1/4 of the NW 1/4; the E 1/2 of Government Lot 2; the W 1/2 of the SE 1/4 of the NW 1/4; the SE 1/4 of the SE 1/4 of the NW 1/4 of Section 18, Township 28 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Tax Parcel Number: 87845

1. Reservations contained in deed, including terms and provisions thereof.
 Recorded: Volume 262 page 83, Deed records of Klamath County, Oregon
 As follows: "Also subject to all contracts, water rights, proceedings taxes and assessments relating to irrigation, drainage, and/or reclamation of said lands; and all rights of way for roads, ditches and canals and conduits."
2. Easement, including terms and provisions contained therein:
 Recording Information: January 18, 1952 in Volume 252 page 310, Deed records of Klamath County, Oregon
 In Favor of: United States of America
 For: transmission line
3. Right of Way Agreement, including terms and provisions thereof.
 To: Pacific Gas Transmission Company, a California corporation
 Recorded: September 26, 1960 in Volume 324 page 303, Deed records of Klamath County, Oregon
4. Mineral reservation as contained in Deed:
 Reserving: "1/2 of all of grantor's interest in all minerals, oil, petroleum, brea, asphaltum, coal and all other hydrocarbon substances, and all geothermal resources lying in or under said land below a depth of 500 feet from the surface thereof, with no right of surface entry."
 Reserved By: Leo DeMonte, a married man
 Recorded: April 20, 1977
 Recording Information: Volume M77 page 6694, Deed records of Klamath County, Oregon

 NOTE: The mineral interest reserved or excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.
5. Mineral reservation as contained in Deed:
 Reserving: "Excepting and reserving unto the grantor hereunder 1/2 of all of the grantor's interest in all mineral, oil, petroleum, brea, asphaltum, coal and all other hydrocarbon substances, and all geothermal resources lying in or under said land below a depth of 500 feet from the surface thereof, with no right of surface entry."
 Reserved By: Leo DeMonte
 Recorded: April 20, 1977
 Recording Information: Volume M77 page 6698, Deed records of Klamath County, Oregon

 NOTE: The mineral interest reserved or excepted above has not been examined and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.
6. An easement reserved in a deed, including the terms and provisions thereof;
 Recorded: April 20, 1977 in Volume M7 page 6698, Deed records of Klamath County, Oregon
 From: Leo DeMonte
 To: George S. Whiteman & Associates, a California corporation
 For: Ingress and egress and utility purposes
 Affects: 60 feet wide running from East to West along the North line of the NW 1/4 NW 1/4 SE 1/4 of Section 18, Township 28 South, Range 8 East of the Willamette Meridian
7. Agreement, including terms and provisions thereof.
 Recorded: June 27, 1983 in Volume M83 page 10000, Deed records of Klamath County, Oregon
8. Terms and provisions thereof in Easement Exchange by and between Weyerhaeuser Company, a Washington corporation and Land Use Investments-Klamath, a California Limited partnership, including terms and provisions thereof.
 Recorded: December 22, 1983 in Volume M83 page 21966, and recorded September 11, 1985 in Volume M85 page 14613 Deed records of Klamath County, Oregon
9. Major Land Partition 62-83 creation of an access easement, including terms and provisions thereof.
 Recorded: September 11, 1985 in Volume M85 page 14612, Deed records of Klamath County, Oregon