



MTL - 71215 KR

M05-63485

Klamath County, Oregon

09/02/2005 02:58:39 PM

Pages 2 Fee: \$26.00

After recording return to:

Thomas R. Barnell

5272 E. Childs Avenue

Merced, CA 95340

Until a change is requested all

tax statements shall be sent to

The following address:

Thomas R. Barnell

5272 E. Childs Avenue

Merced, CA 95340

Escrow No. MT71215-KR

Title No. 0071215

SWD

STATUTORY WARRANTY DEED

Cheri A. Frey, Trustee of The Cheri A. Frey Revocable Living Trust, under agreement dated January 4, 1997, Grantor(s) hereby convey and warrant to **Thomas R. Barnell**, Grantee(s) the following described real property in the County of **Klamath** and State of Oregon free of encumbrances except as specifically set forth herein:

LEGAL DESCRIPTION

A tract of land situate in Section 2, Township 41 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

That portion of the N1/2 of said Section lying Easterly of the Northeasterly boundary of the D-1-C Lateral deeded to the United States of America in Deed Volume 111, page 183, Deed Records of Klamath County, Oregon and South of the 6-C-1 Drain deeded to the United States of America in Volume 111, page 183, Deed Records of Klamath County, Oregon; and West of the Westerly right of way line of the Great Northern Railway, recorded October 13, 1932, in Volume 99, page 109, Deed Records of Klamath County, Oregon. SAVING AND EXCEPTING therefrom the right of way of the K.I.D. No. 6 Drain recorded January 13, 1915, in Volume 43, page 239, Deed Records of Klamath County, Oregon.

AND ALSO that portion of the S1/2 of said Section 2 lying Easterly of the Northeasterly right of way of Highway No. 39 and Westerly of the Westerly boundary of the K.I.D. No. 6 Drain, recorded January 13, 1915 in Deed Volume 43, page 239, Deed Records of Klamath County, Oregon, SAVING AND EXCEPTING that portion conveyed to the United States of America for the D-1-C Lateral in Volume 111, page 183, Deed Records of Klamath County, Oregon.

EXCEPTING THEREFROM that portion of Tracts 19, 20, 35 and 40 and Second Street adjacent thereto of MERRILL TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, lying Northeasterly of the Dalles - California Highway (State Highway 39)

Tax Account No: 4110-00200-01100-000

Key No: 100722

Tax Account No: 4110-00200-01100-000

Key No: 596206

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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.

26.00

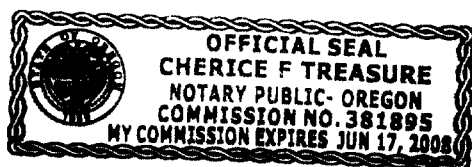
Dated this 2nd day of September, 2005

The Cheri A. Frey Revocable Living Trust

BY: Cheri A. Frey
Cheri A. Frey, Trustee

State of Oregon
County of KLAMATH

This instrument was acknowledged before me on Sept. 2, 2005 by Cheri A. Frey, Trustee of The Cheri A. Frey Revocable Living Trust, under agreement dated January 4, 1997.



Cherie F. Treasure
(Notary Public for Oregon)

My commission expires 11/16/2007