



mtc-73966

THIS SPACE RESERVED FOR RECORDER'S USE

**M06-06690**

Klamath County, Oregon

04/06/2006 02:47:03 PM

Pages 2 Fee: \$26.00

After recording return to:  
WILLIAM K. WILKENING  
P.O. BOX 3396  
Jacksonville, OR 97530

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

WILLIAM K. WILKENING  
P.O. BOX 3396  
Jacksonville, OR 97530

Escrow No. AP0776290  
Title No. 0073966

SWD

### STATUTORY WARRANTY DEED

**HERBERT W. SUTTON TRUSTEE UNDER DECLARATION OF TRUST NO. 1989-2 DATED NOVEMBER 24, 1989**, Grantor(s) hereby convey and warrant to **WILLIAM K. WILKENING**, 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:

**LOTS 6,7,8,9,10 AND 11 IN BLOCK 7 OF ARROWHEAD VILLAGE, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

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:

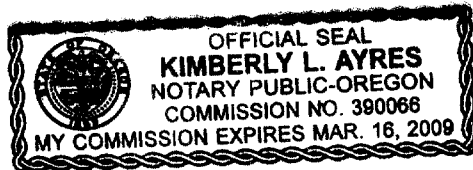
The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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 AND 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)).

Dated this 5<sup>th</sup> day of April, 2006

DECLARATION OF TRUST

BY: Herbert W. Sutton Trustee  
HERBERT W. SUTTON, TRUSTEE



State of Oregon  
County of KLAMATH

This instrument was acknowledged before me on 4-5, 2006 by HERBERT W. SUTTON TRUSTEE UNDER DECLARATION OF TRUST NO. 1989-2 DATED NOVEMBER 24, 1989.

Kimberly L. Ayres  
(Notary Public for Oregon)

My commission expires 3-16-09

26.00

**AFFIDAVIT**

ESCROW # AP0776290

DATE: 03/31/2006

We, Herbert W. Sutton, Trustees of the  
Declaration Trust hereby declare that the  
Trust Agreement dated \_\_\_\_\_ previously deposited with AmeriTitle is still in full force  
& effect and there have been no amendments or alterations thereto as of this date.

  
Trustee

\_\_\_\_\_  
Trustee