

After recording, return to:

David E. Paulson, LLC
1197 NW Wall Street
Bend, OR 97701

Until a change is requested, send all tax statements to:

Roberta M. Frieauf
Norman McClung
152656 Hackamore Lange
La Pine, OR 97739

2006-025391

Klamath County, Oregon



00011759200600253910020025

12/27/2006 10:50:49 AM

Fee: \$26.00

WARRANTY DEED

The true and actual consideration for this conveyance is other good and valuable consideration.

Roberta M. Frieauf and Norman B. McClung, Grantor, conveys and warrants to Norman McClung and Marlene Frieauf, trustee of the Marlene Frieauf Survivor's Trust under agreement dated August 6, 1992, Grantee, the following described real property in Klamath County, Oregon, free of encumbrances except as specifically set forth herein:

Lot 18, Block 1, WAGON TRAIL ACREAGES NO. 1, THIRD ADDITION, TRACT NO. 1136, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon

***Subject to and excepting:**

1. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any facts which a correct survey would disclose.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of the Little Deschutes River and the ownership of the State of Oregon in the portion lying below the high water mark of Little Deschutes River.
4. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Little Deschutes River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
5. Agreement relative to bridge across the Little Deschutes River as set forth in instrument, including the terms and provision thereof, recorded March 19, 1976 in Volume M76, page 4024, Deed Records of Klamath County, Oregon.
6. Restrictions shown on the recorded plat of Wagon Trail Acreages No. 1, Third Addition, Tract No. 1136.
7. Covenants, conditions, restrictions and/or easements; but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions, or restrictions violate Title 42, Section 3604(c), of the United States Code; recorded August 30, 1972 in Volume M72, page 9766, records of Klamath County, Oregon; Modification and/or amendment by instrument recorded December 11, 1979 in Volume M79, page 28494, records of Klamath County, Oregon; Modification and/or amendment by instrument recorded January 5, 1977 in Volume M77, pages 207 and 210, records of Klamath County, Oregon.

Page 1 - Warranty Deed

DAVID E. PAULSON, LLC, ATTORNEY AT LAW, 1197 NW WALL STREET, BEND, OR 97701 (541) 312-3686

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8. Easement, including the terms and provisions contained therein recorded November 5, 1981 in Volume M81, page 19298, records of Klamath County, Oregon, in favor of Midstate Electric Cooperative, Inc., a cooperative corporation, for electric line right of way.
9. Easement, including the terms and provisions contained therein recorded November 5, 1981 in Volume M81, page 19306, records of Klamath County, Oregon, in favor of Midstate Electric Cooperative, Inc. for electric line right of way.
10. Deed of Trust and the terms and conditions thereof, Loan No. 687736720, wherein Roberta M. Frieauf and Norman McClung are the Grantor/Trustor, Bank of America, N.A. is the Beneficiary; First American Title Insurance Company is the Trustee, in the amount of \$160,000, dated March 18, 2005, Recorded March 31, 2005 in Volume M05, Page 21977, records of Klamath County, Oregon.
11. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
12. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
13. Easements, claims of easements or encumbrances which are not shown by the public records, unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.


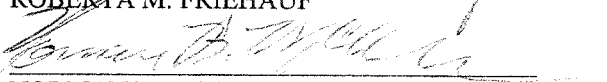
The liability and obligations of the Grantors to Grantees and Grantees' heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantors under a standard policy of title insurance containing exceptions for matters of public record. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

In addition, Roberta M. Frieauf and Norman B. McClung, Grantor, releases and quitclaims to Norman McClung and Marlene Frieauf, trustee of the Marlene Frieauf Survivor's Trust under agreement dated August 6, 1992, Grantee, all right, title and interest in and to all other real property in Klamath County, Oregon, in which Grantor has an interest.

Property or value other than payment in dollars was either part or the whole consideration.

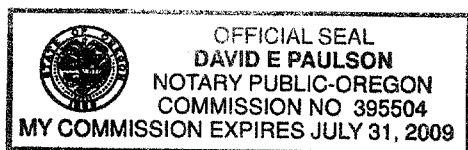
DATED Sept 7, 2006.

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.


ROBERTA M. FRIEHAUF

NORMAN B. MCCLUNG

STATE OF OREGON)
)ss.
County of Deschutes)

This instrument was acknowledged before me on Sept 7, 2006, by Roberta M. Frieauf and Norman B. McClung.




Notary Public for Oregon