

46g0472105ew MTC829114



2008-010757
Klamath County, Oregon



After recording return to:
Michael W. Bingaman
1972 Bianca Court
Medford, OR 97504

07/29/2008 03:16:38 PM

Fee: \$26.00

Until a change is requested, all tax statements shall be sent
to the following address:
Michael W. Bingaman
1972 Bianca Court
Medford, OR 97504

STATUTORY WARRANTY DEED

Eugene K. Schulzke and Heidi M. Schulzke, Grantor, conveys and warrants to Michael W. Bingaman, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Tax Account No. R73128

This property is free of encumbrances, EXCEPT:
SEE EXHIBIT "A" WITH EXCEPTIONS
The true consideration for this conveyance is \$340,000.00

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11 CHAPTER 424, OREGON LAWS 2007.

Dated 28 day of July, 2008

Eugene K. Schulzke

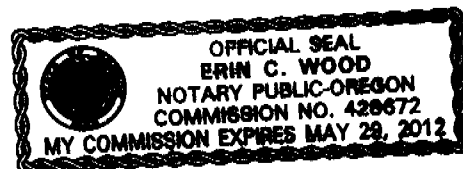
Heidi M. Schulzke

STATE OF OREGON
COUNTY OF Jackson

The foregoing instrument was acknowledged before me this 28 day of July, 2008 by Eugene K. Schulzke and Heidi M. Schulzke.

Notary Public State of Oregon
My commission expires: 5/29/12 2012

Order No. 46g0472105



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Exhibit "A" with Exceptions

PARCEL 1:

The NE1/4 NW1/4 NE1/4, the North 160 feet of S1/2 NW1/4 NE1/4, in Section 23, Township 35 South, Range 6 east of the Willamette Meridian.

PARCEL 2:

A perpetual right and easement for road purposes to a parcel of land 12' wide along the West side of the E1/2 NW1/4 SW1/4 NE1/4 of said Section 23, Township 35 South, Range 6 East of the Willamette Meridian, said easement 12' wide extending North to the property herein above conveyed.

(Portion of easement lying in tax account 400 was extinguished by instrument recorded February 28, 1972 in Volume M72, page 2081, Microfilm Records of Klamath County, Oregon.)

A 12 foot wide access easement, situated in the S1/2 NW1/4 NE1/4 of Section 23, Township 35 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon. The center line of which is more particularly described as follows:

Beginning at a point on the South line of the South 198 feet of the North 358 feet of the S1/2 NW1/4 NE1/4 of said Section 23, from which the C-W-W-NE 1/256 corner of said Section 23 bears North 87° 56' 37" West 6.00 feet and South 00° 18' 32" East 313.63 feet; thence along the arc of a curve to the left (radius point bears South 89° 41' 28" West 298.31 feet and central angle equals 37° 06' 27") 193.20 feet; thence North 37° 24' 59" West 26.8 feet, more or less to the North line of the South 198 feet of the North 358 feet of the said S1/2 NW1/4 NE1/4 of said Section 23, with bearings based on record of Survey 4469 as recorded at the office of the Klamath County Surveyor.

SUBJECT TO:

Taxes for the fiscal year 2008-2009, a lien not yet due and payable.

Account No: 3506-02300-00200-000

Key No: 73128

Code No: 078

The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing Fire Patrol.

The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.

Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

Reservations as shown in deed recorded April 16, 1942 in Deed Volume 146, page 533, Klamath County Records.

Easement for regulating and controlling the waters, shores and beds of Upper Klamath Lake, etc., recorded May 21, 1942 in Deed Volume 147, page 344, Klamath County Records.

Terms, conditions, and provisions contained in Agreement for Easement:

Dated: January 1997

Recorded: January 29, 1997

Volume: M97, page 2682, Microfilm Records of Klamath County, Oregon

In favor of: Trustee Under The Terry Revocable Trust Of 1990 Dated February 22, 1990

For: Access

Conditional Use Permit Restrictive Covenant, subject to the terms and provisions

Dated: Not dated

Recorded: September 25, 1997

Volume: M97, page 31315, Microfilm Records of Klamath County, Oregon

Right of Way Easement created by instrument, subject to the terms and provisions thereof,

Dated: August 22, 2006

Recorded: November 24, 2006

Volume: 2006-023490, Microfilm Records of Klamath County, Oregon

In favor of: PacifiCorp, an Oregon corporation