

**2014-000708**

**Klamath County, Oregon**

**01/27/2014 11:52:57 AM**

**Fee: \$67.00**



After recording return to:  
Cheri Nager  
P.O. Box 2087  
Bend, OR 97709-8087

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

Cheri Nager  
P.O. Box 2087  
Bend, OR 97709-8087

File No.: NCS-625368-CC (pn)  
Date: September 16, 2013

THIS SPACE RESERVED FOR RECORDER'S USE

### **STATUTORY WARRANTY DEED**

**Cheri D. Nager, a single woman**, Grantor, conveys and warrants to **TINGLEY LAKE ESTATES LLC**,  
an Oregon limited liability company

Grantee, the following described real property free of liens and encumbrances, except as specifically set  
forth herein:

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

**See exhibit "A" attached hereto and made part hereof**

**The true consideration for this conveyance is \$0.00 (Here comply with requirements of ORS  
93.030)**

**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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7,  
CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

**Subject to:**

1. 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.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Taxes for the fiscal year 2013-2014 a lien due and payable.
7. The county tax roll discloses a multiple mobile homes on the herein described premises which is not included in title insurance coverage. Subject to requirements and provisions of O.R.S. 311.280 pertaining to mobile home taxes becoming liens on real property.
8. Liens and assessments of Klamath Project and Klamath Irrigation District, and regulations, contracts, easements, water and irrigation rights in connection therewith.

9. Any unpaid charges or assessments of the Klamath Irrigation District.
10. Covenants, conditions and restrictions contained in Deed.

Executed by:

A.F. Folsom and Carrie  
Folsom and Hattie B.  
and Frank Lane  
August 26, 1920  
Volume 56 Page 622,  
deed records of Klamath  
County, Oregon

Recorded:  
Recording  
Information:

11. Easement, including terms and provisions contained therein:

Recording  
Information:

May 22, 1944 in Volume  
165 Page 228, deed  
records of Klamath  
County, Oregon  
The California Oregon  
Power Company  
right of way

In Favor of:

For:

12. Easement, including terms and provisions contained therein:

Recording  
Information:

May 7, 1979 in Volume  
M79 Page 10274,  
records of Klamath  
County, Oregon  
Pacific Power & Light  
Company  
right of way

In Favor of:

For:

13. Easement, including terms and provisions contained therein:

Recording  
Information:

In Favor of:

For:

June 8, 1981 in Volume  
M81 Page 10146,  
records of Klamath  
County, Oregon  
Pacific Power & Light  
Company  
right of way

14. Revocable License, including terms and provisions thereof.

Recorded:

October 30, 1981 in  
Volume M81 Page 18941,  
records of Klamath  
County, Oregon

15. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Tingley Lake.

16. 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 Tingley Lake 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.

17. Agreement Adjusting Boundary Line, including terms and provisions thereof.

Recorded:

November 21, 2003 in  
Volume M03 Page 86112,  
records of Klamath  
County, Oregon

18. Deed of Trust to secure an original indebtedness of \$650,000.00 recorded 1/10/2014 as instrument no. 2014-000212, official records of Klamath County OR.

Dated: January 7, 2014

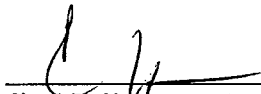
Trustor: Cheri D. Nager

Trustee: First American Title Company

Beneficiary: Umpqua Bank

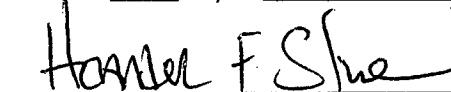
19. Assignment of Rents dated 7/7/2014 and recorded 1/10/2014 as instrument no. 2014-000213, official records of Klamath County OR.

Dated this 17 day of January, 2014.

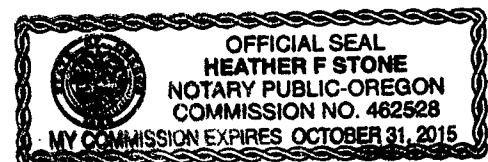
  
Cheri D. Nager

STATE OF Oregon )  
County of Deschutes ) ss.

This instrument was acknowledged before me on this 17<sup>th</sup> day of January, 2014  
by **Cheri D. Nager**.

  
Heather F. Stone

Notary Public for Oregon  
My commission expires: Oct 31, 2015



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL 1:**

**NE1/4 SE1/4 OF SECTION 5, TOWNSHIP 40 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON.**

**PARCEL 2:**

**THE FOLLOWING PARCEL OF REAL PROPERTY SITUATED IN SECTION 5, TOWNSHIP 40 SOUTH RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**A STRIP OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION FIVE COMMENCING AT A POINT 1340.23 FEET NORTH OF THE SECTION QUARTER COMMON TO SECTIONS FOUR, FIVE, EIGHT AND NINE; THENCE WEST 1315.73 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SOUTHEAST QUARTER; THENCE SOUTH 17.5 FEET TO A POINT; THENCE EAST 1345.75 FEET TO A POINT WHICH IS 14.5 FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH TO THE POINT OF BEGINNING.**

**APN: R-4009-00500-01100; R-4009-00500-01400; P-089885**