



404 Main St., Ste. 1, Klamath Falls, OR 97601
Phone (541) 883-3401, Fax (541) 882-0620

March 24, 2026

File Number: 1066658

Client's File Number : WT0284695

Report No.: 2

Title Officer: Susan P. Moore
susan.moore@amerititle.com

Updated to correct city.

PRELIMINARY TITLE REPORT

Property

Address: Vacant Land, Chiloquin, OR 97624
Vacant Land, Chiloquin, OR 97624

Policy or Policies to be issued:

Liability

Premium

Proposed Insured: TBD TBD

2021 ALTA Standard Owner's Policy COMMERCIAL

\$549,500.00

\$1,425.00

Endorsements: 110

\$0.00

Proposed Insured: TBD

2021 ALTA Lender's Policy

(X) EXTENDED () STANDARD (Simultaneous)

\$.00

\$TBD

Endorsements: 208.2[06], 209.3[06], 222[06]

\$TBD

Local Government Lien Search

\$0.00

We are prepared to issue ALTA (07/01/21) title insurance policy(ies) of Fidelity National Title Insurance Company, in the usual form insuring the title to the land described as follows:

Legal description attached hereto and made a part hereof marked Exhibit "A"

and dated as of 9th day of March, 2026 at 7:30 a.m., title is vested in:

James A. Smejkal

The estate or interest in the land described or referred to in this Preliminary Title Report and covered herein is:

FEE SIMPLE

Except for the items properly cleared through closing, Schedule B of the proposed policy or policies will not insure against loss or damage which may arise by reason of the following:

GENERAL EXCEPTIONS:

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.

EXCEPTIONS 1 THROUGH 5 ABOVE APPLY TO STANDARD COVERAGE POLICIES AND MAY BE MODIFIED OR ELIMINATED ON AN EXTENDED COVERAGE POLICY.

SPECIAL EXCEPTIONS:

6. Taxes assessed under Code No. 118 Account No. 12168 Map No. 3407-02100-00702
The 2025-2026 Taxes: \$235.20
Balance Due: \$7.06, plus interest, unpaid.
7. Taxes assessed under Code No. 138 Account No. 12275 Map No. 3407-02100-00902
The 2025-2026 Taxes: \$149.91
Balance Due: \$4.50, plus interest, unpaid.
8. Taxes assessed under Code No. 138 Account No. 16556 Map No. 3407-02100-00901
The 2025-2026 Taxes: \$68.45
Balance Due: \$2.05, plus interest, unpaid
9. Taxes assessed under Code No. 138 Account No. 188941 Map No. 3407-02100-00800
The 2025-2026 Taxes: \$124.59
Balance Due: \$3.74, plus interest, unpaid.
10. Taxes assessed under Code No.138 Account No.188978 Map No. 3407-02100-00400
The 2025-2026 Taxes:\$150.02
Balance Due: \$4.50, plus interest.

11. Taxes assessed under Code No. 138 Account No. 188987 Map No. 3407-02100-00600
The 2025-2026 Taxes: \$149.48
Balance Due: \$4.48, plus interest, unpaid.
12. Taxes assessed under Code No. 138 Account No.795447 Map No. 3407-02100-00701
The 2025-2026 Taxes: \$271.89
Balance Due: \$8.16, plus interest, unpaid.
13. Potential additional tax liability, due to the removal of the herein described Land from special use assessment.
Code No. 138 Account No. 188987 Map No. 3407-02100-00600
Amount: \$5,941.11

The additional tax will not be levied unless the actual use of the land is changed.

14. The assessment roll and the tax roll disclose that the Land herein described were specially assessed as Forest Land. If the Land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the Land was subject to the special land use assessment.
15. Special Assessment disclosed by the Klamath tax rolls:
For: Klamath Lake Timber
16. Special Assessment disclosed by the Klamath tax rolls:
For: Klamath Lake Grazing
17. Special Assessment disclosed by the Klamath tax rolls:
For: Fire Patrol Surcharge
18. Subject to Ancestral Rights, if any, of descendants of aboriginal inhabitants to occupy, use and possess any portion of the premises, as reserved by treaties, understandings, practice, statutes, judicial decision, for food gathering, shelter, religious ceremonies, social and economic gatherings, battlefields and burial sites.
19. Reservation of Oil, gas, minerals, or other subsurgace rights except water, including the terms and provisions contained therein, in deed from Heirs of Delia O'Tool.
Recorded: July 24, 1957
Instrument No.: Volume [293, page 242](#)

The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

NOTE: The 209.10-06 endorsement is not available for issuance as a result of said reservation.

20. The provisions contained in Deed,
Recorded: July 24, 1957,
Instrument No.: Volume [293, page 242](#).

21. Land Status Report, including the terms and provisions thereof,
Recorded: October 28, 1958
Instrument No.: [Volume 305, page 408](#)
22. Land Status Report, including the terms and provisions thereof,
Recorded: January 8, 1959
Instrument No.: [Volume 308, page 419](#)
23. The provisions contained in Exchange Deed,
Recorded: July 9, 1973,
Instrument No.: [M73, page 08683](#)
24. An easement including the terms and provisions thereof, affecting the portion of the Land and for the purposes stated therein as set forth in instrument:
Granted To: Klamath County
Recorded: September 13, 1973
Instrument No.: [M73, page 12371](#)
25. Reservation of Oil, gas, minerals, geothermal steam and associated geothermal resources, including the terms and provisions contained therein, in deed,
Recorded: September 29, 1978
Instrument No.: [M78, page 21758](#)

The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

NOTE: The 209.10-06 endorsement is not available for issuance as a result of said reservation.

26. The provisions contained in Exchange Deed,
Recorded: September 29, 1978,
Instrument No.: [M78, page 21758.](#)
27. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: April 19, 1990
Instrument No.: [M90, page 07303](#)
28. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: April 19, 1990
Instrument No.: [M90, page 07305](#)
29. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: June 29, 1990
Instrument No.: [M90, page 12909](#)

30. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provided that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: July 16, 1990
Instrument No.: [M90, page 14024](#)
31. Easement, Road Use Agreements and Rights of Way Assignment and Assumption Agreement, including the terms and provisions thereof,
Recorded: September 29, 2014
Instrument No.: [2014-010042](#)
32. Rights of tenants under existing leases or tenancies.
33. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts, which a correct survey would disclose.
34. 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.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

IF THE ABOVE EXCEPTION IS TO BE REMOVED FROM A FORTHCOMING POLICY PRIOR TO THE EXPIRATION OF THE STATUTORY LIEN PERIOD, THE COMPANY MUST BE CONTACTED REGARDING ITS UNDERWRITING REQUIREMENTS FOR EARLY ISSUE.

35. Persons in possession or claiming the right of possession.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

INFORMATIONAL NOTES:

- A. According to the available County Assessor's Office records, the Land is purported to have no improvements and/or is non-owner occupied. Upon confirmation that the seller's/borrower's identity has been verified, as provided in Commitment Condition 4, the Company may amend this commitment to add, among other things, additional exceptions or requirements.
- B. We find no activity in the past 24 months regarding transfer of title to subject property.
- C. This report does not include a search for financing statements filed in the office of the Secretary of State in this or any other State, or in a county other than the county wherein the Land is situated, and no liability is assumed if a financing statement is filed in the office of the County Clerk (Recorder) covering fixtures on the Land wherein the Land is described other than by metes and bounds or under the rectangular survey system by recorded lot and block.
- D. Our examination of the title to the subject property discloses no open Deeds of Trust or Mortgages of record. The accuracy of this conclusion should be confirmed in writing prior to closing of the proposed transaction.

- E. Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

- F. Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the parties to the transaction must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

- G. Due to current conflicts or potential conflicts between state and federal law, which conflicts may extend to local law, regarding marijuana, if the transaction to be insured involves property which is currently used or is to be used in connection with a marijuana enterprise, including but not limited to the cultivation, storage, distribution, transport, manufacture, or sale of marijuana and/or products containing marijuana, the Company declines to close or insure the transaction, and this Preliminary Title Report shall automatically be considered null and void and of no force and effect.

- H. In the event that the contemplated transaction for which a Real Estate Report is required to be submitted to the US Department of Treasury Financial Crimes Enforcement Network ("FinCEN Report"), then the parties to transaction (Seller(s) and Buyer(s)) shall no later than the closing, provide to the Company the information and documentation necessary to enable the Company to complete the FinCEN Report. Such information and documentation include full legal name, date of birth, residential address, and the IRS taxpayer identification number of the beneficial owners of the Buyer(s), as further defined and described in Section 1031.320 of Chapter 31 of the Code of Federal Regulations ("Code")

NOTE: The FinCEN Report requires certain residential real estate transaction purchased with all cash or without institutional lender financing, where at least one buyer/transferee is a legal entity to be reported to the United States Treasury Department's Financial Crimes Enforcement Network. If the required information is not timely provided to the Company, the Company may elect to withdraw as the settlement company or otherwise be involved in the transaction.

If **AmeriTitle, LLC** is not acting as a "Reporting Person" under the FinCEN rule for this transaction, where said company is not performing any escrow or settlement functions, responsibility for compliance with FinCEN reporting requirements lies with the party designated as the Reporting Person under the rule, which may include the settlement agent, escrow agent, or other party facilitating the closing.

AmeriTitle, LLC expressly disclaims any and all liability for FinCEN reporting obligations where said company is not performing any escrow or settlement functions

THIS PRELIMINARY TITLE REPORT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRA CONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

End of Report

"Superior Service with Commitment and Respect for Customers and Employees"

EXHIBIT "A"
LEGAL DESCRIPTION

BENSON/PATE

PARCEL 1:

The S1/2 of Section 21, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying East of the centerline of Forest Service Road No. 3401 as described in Deed recorded September 29, 1978 in Volume M78, page 21758, Microfilm Records of Klamath County, Oregon and West of U.S. Highway No. 97, EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its Department of Transportation, Highway Division, by deed recorded June 29, 1990 in Volume M90, page 12909, Microfilm Records of Klamath County, Oregon.

PARCEL 2:

The S 1/2 of Section 21, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, lying West of the centerline of Forest Service Road No. 3401 as described in Deed recorded September 29, 1978 in Volume M78, page 21758, Microfilm Records of Klamath County, Oregon.

KOEHLER/MULVANY

PARCEL 1:

A portion of the NE1/4 of Section 21 lying West of State Highway No. 97, in Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the intersection of the North line of said Section 21 and the Westerly right-of-way line of State Highway No. 97, said point also being North 89° 38' 45" West 468.2 feet from the Northeast corner of said Section 21; thence North 89° 38' 45" West, along the North line of said Section 21, 900.34 feet to the true point of beginning of this description; thence South 1° 56' 30" West 1089.47 feet; thence South 88° 03' 30" East 900 feet to the Westerly right-of-way line of said Highway No. 97; thence South 1° 56' 30" West, along said right-of-way line, 580 feet, more or less, to the center of a road approach to said Highway No. 97; thence following the centerline of said road, the meander line being as follows:

South 64° 44' West, 253.0 feet; South 63° 47' West, 213.4 feet; North 57° 27' West, 323.3 feet; North 76° 06' West, 136.0 feet; North 60° 27' West, 129.6 feet; North 33° 58' West, 191.0 feet; North 11° 01' West, 92.1 feet; North 39° 16' West, 56.0 feet; thence, leaving said road, West 1020.4 feet, more or less, to the West line of said NE1/4 of Section 21; thence Northerly along said West line of said NE1/4 of Section 21, 1346.4 feet, more or less, to the North Quarter-corner of said Section 21, thence South 89° 38' 45" East, along the North line of said Section 21, 1264.9 feet, more or less, to the true point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its Department of Transportation by Deed recorded July 16, 1990 in Volume M90 at page 14024, Microfilm Records of Klamath County, Oregon and Volume M90 at page 14026, Microfilm Records of Klamath County, Oregon.

PARCEL 2:

That portion of the NE1/4 of Section 21, lying West of State Highway No. 97 in Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, EXCEPTING THEREFROM the following:

Beginning at the point of intersection of the North line of said Section 21 and the Westerly right of way line of State Highway No. 97, said point also being North 89° 38' 45" West 468.2 feet from the Northeast corner of said Section 21; thence South 1° 56' 30" West along said right of way 1694.4 feet more or less, to the center of a road approach to said Highway No. 97; thence following the centerline of said road, the meander line being as follows:

South 64° 44' West, 253.0 feet;

South 63° 47' West, 213.4 feet;

North 57° 27' West, 323.3 feet;

North 76° 06' West, 136.0 feet;

North 60° 27' West, 129.6 feet;

North 33° 58' West, 191.0 feet;

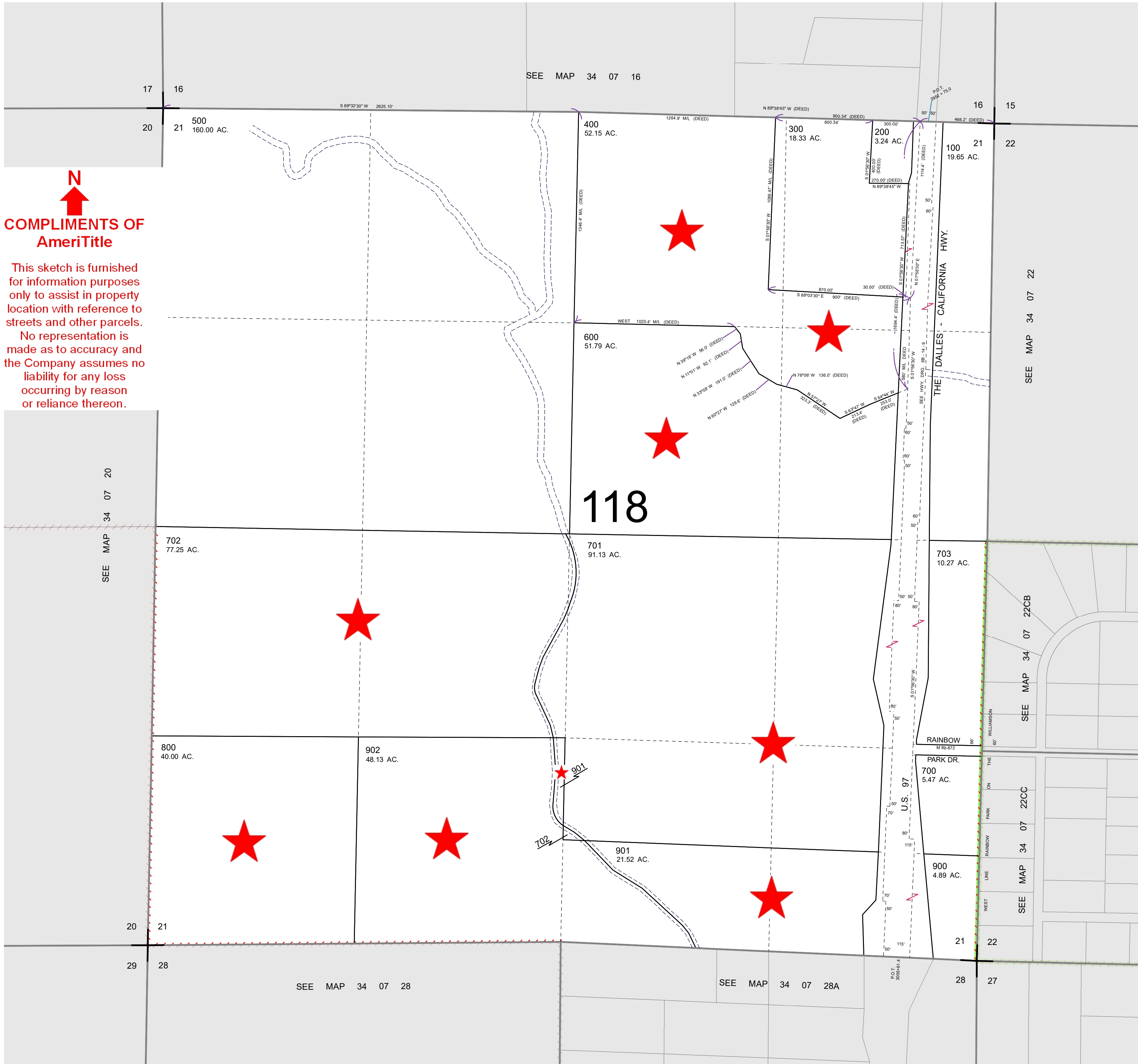
North 11° 01' West, 92.1 feet;

North 39° 16' West, 56.0 feet;

thence leaving said road West 1020.4 feet, more or less, to the West line of said NE1/4 of Section 21; thence Northerly along said West line of the NE1/4 of Section 21; 1346.4 feet, more or less, to the North Quarter-corner of said Section 21; thence South 89° 38' 45" East, along the North line of said Section 21, 2165.2 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon by and through its Department of Transportation Highway Division recorded April 19, 1990 in Volume M90, pages 7303 and 7305, Microfilm Records of Klamath County, Oregon.

Revised: 11/10/2020



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**COMPLIMENTS OF
 AmeriTitle**

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the Company assumes no liability for any loss occurring by reason or reliance thereon.

Cancelled No.
 700 MI
 701 MI
 702 MI
 703 MI