

Declaration of Trust

8806

DT-2

8650

Vol. MGG Page

of the

WHEREAS, I, Floyd E. Wilkes

City/Town of Klamath Falls, County of Klamath, State of Oregon

am the owner of certain real property located at (and known as) 2130 Stukel St + 2028 Reclamation St

in the said City/Town of Klamath Falls, State of Oregon

which property is described more fully in the Deed conveying it from Union Holding Co and R. C. Crowder

to Floyd E. Wilkes as "that certain piece or parcel of land with buildings thereon

standing, located in said Klamath Falls, being

Beginning at a point 37 feet southerly along westerly boundary of Stukel Street from the Northeast corner of Lot 58 of Block 18, of Industrial Addition to the city of Klamath Falls, Oregon, being the corner of Stukel and Martin Streets, thence Westerly at right angles to Stukel Street, 70 feet thence Southerly and parallel to Stukel Street, 40 feet; thence Easterly parallel with Martin Street 70 feet to the West line of Stukel Street; thence Northerly along the Westerly line of Stukel Street 40 feet to the point of beginning, being a part of Lots 56, 57 and 58 of said Block 18 of Industrial Addition to Klamath Falls, Oregon.

Lot 5 in Block 200 of Mills Second Addition to Klamath Falls, Oregon.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that I do hereby acknowledge and declare that I hold and will hold said real property and all right, title and interest in and to said property and all furniture, fixtures and real and personal property situated therein IN TRUST

1. For the use and benefit of

(Name) Beatrice G. Wilkes (my wife) 14

(Address) 2130 Stukel Klamath Falls Oregon
Number Street City State

or, if such beneficiary be not surviving, for the use and benefit of

(Name) Dorinda May Rainswater (my daughter)

(Address) 3105 Patterson Klamath Falls Oregon
Number Street City State

Upon my death, unless the beneficiaries shall predecease me or unless we shall die as a result of a common accident, my Successor Trustee is hereby directed forthwith to transfer said property and all right, title and interest in and to said property unto the beneficiary

absolutely and thereby terminate this trust; provided, however, that if the beneficiary hereunder shall then be a minor, the Successor Trustee shall hold the trust assets in continuing trust until such beneficiary attains the age of twenty-one years. During such period of continuing trust the Successor Trustee, in his absolute discretion, may retain the specific trust property herein described if he believes it in the best interest of the beneficiary so to do, or he may sell or otherwise dispose of such specific trust property, investing and reinvesting the proceeds as he may deem appropriate. If the specific trust property shall be productive of income or if it be sold or otherwise disposed of, the Successor Trustee may apply or expend any or all of the income or principal directly for the maintenance, education, and support of the minor beneficiary without the intervention of any guardian and without application to any court. Such payments of income or principal may be made to the parents of such minor or to the person with whom the minor is living without any liability upon the Successor Trustee to see to the application thereof. If any such minor survives me but dies before attaining the age of twenty-one years, at his or her death the Successor Trustee shall deliver, pay over, transfer and distribute the trust property to such minor's personal representatives, absolutely.

2. I reserve unto myself the power and right (1) to place a mortgage or other lien upon the property, (2) to collect any rental or other income which may accrue from the trust property and, in my sole discretion as trustee, either to accumulate such income as an addition to the trust assets being held hereunder or pay such income to myself as an individual.

3. I reserve unto myself the power and right at any time during my lifetime to amend or revoke in whole or in part the trust hereby created without the necessity of obtaining the consent of the beneficiaries and without giving notice to the beneficiaries. The sale or other disposition by me of the whole or any part of the property held hereunder shall constitute as to such whole or part a revocation of this trust.

4. The death during my lifetime, or in a common accident or disaster with me, of both of the beneficiaries designated hereunder shall revoke such designation, and in the former event, I reserve the right to designate a new beneficiary. Should I for any reason fail to designate such new beneficiary, this trust shall terminate upon my death and the trust property shall revert to my estate.

5. In the event of my death or legal incapacity, I hereby nominate and appoint as Successor Trustee hereunder whosoever shall at that time be beneficiary hereunder, unless such beneficiary be a minor or legally incapacitated in which event I hereby nominate and appoint

(Name) Donna May Rainwater (my daughter)

(Address) 3105 Patterson Klamath Falls Oregon

to be Successor Trustee.

6. This Declaration of Trust shall extend to and be binding upon the heirs, executors, administrators and assigns of the undersigned and upon the Successors to the Trustee.

7. The Trustee and his successors shall serve without bond.

8. This Declaration of Trust shall be construed and enforced in accordance with the laws of the State of

Oregon

IN WITNESS WHEREOF I have hereunto set my hand and seal this 27 day of

Aug 1966

(sign here) Floyd E. Wilkes

L.S.

Witness: (1) Duke Wood

Witness: (2) Red

State of OREGON

County of KLAMATH

ss:

On the 27th day of AUGUST, nineteen hundred and SIXTY

before me came FLOYD E. WILKES known to me to be the individual described in, and who executed the foregoing instrument; and he acknowledged that he executed the same, and in due form of law acknowledged the foregoing instrument to be his free act and deed and desired the same might be recorded as such.

(Notary Seal)

MY COMMISSION EXPIRES: OCTOBER 28, 1966

LLOYD E. DENT Notary Public

Mrs. F. Wilkes
2130 Hubel

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mrs. Floyd Wilkes

this 29th day of August, 1966 at 9:38 clock A.M., and

duly recorded in Vol. M-66, of Deeds on Page 8650.

DOROTHY ROGERS, County Clerk

\$3.00 pd.

By Splous-Louis