

DEED

Vol. <sup>MC</sup> 11 Page 131

THIS DEED, made as of this 28th day of March, 1955, between AILEEN H. MINER, also known as Mrs. Elliott S. Miner, as Executrix named under the Last Will and Testament of Elliott S. Miner, and as the duly appointed personal representative of the Estate of Elliott S. Miner (hereinafter sometimes referred to, where appropriate, as the "Executrix"), and AILEEN H. MINER, the residuary legatee under the Last Will and Testament of Elliott S. Miner (hereinafter, where appropriate, referred to as the "grantee");

W I T N E S S E T H:

WHEREAS, Elliott S. Miner died testate on August 25, 1953 in the County of Santa Clara, State of California, having executed a Last Will and Testament on the 19th day of February, 1943, which Will was duly proved and admitted to probate (No. 41185) in the Superior Court of the County of Santa Clara, State of California; and

WHEREAS, Elliott S. Miner, in his Last Will and Testament, did appoint and designate Aileen H. Miner, his wife, as his Executrix; and

WHEREAS, Executrix was duly appointed, qualified and acting Executrix of the Last Will and Testament of Elliott S. Miner; and

WHEREAS, the Decree of Settlement of First and Final Account and Final Distribution issued by the Superior Court of the County of Santa Clara, State of California, on March 28, 1955, provided that the residue of Elliott S. Miner's estate be distributed to grantee; and

WHEREAS, an undivided one-third interest in the below-described real property formed a part of the residue of the estate of said decedent; and

WHEREAS, grantee, by reason of oversight, never did receive a formal deed to said real property from the Executrix;

NOW, THEREFORE, Executrix, by virtue of the power and authority given to her in the Last Will and Testament of Elliott S. Miner and pursuant to the Court's Decree of Settlement and Final Distribution of the Estate of Elliott S. Miner, does hereby grant and convey to grantee, her heirs, successors and assigns, an undivided one-third interest in the following described real property situated in the County of Klamath, State of Oregon:

The N.W. $\frac{1}{4}$  of the N.W. $\frac{1}{4}$  of Sec.13; the S.E. $\frac{1}{4}$  of the N.E. $\frac{1}{4}$  of Sec. 14; the N.W. $\frac{1}{4}$  of the N.W. $\frac{1}{4}$  of Sec.15; the S.W. $\frac{1}{4}$  of the N.E. $\frac{1}{4}$  of Sec. 20; the N. $\frac{1}{2}$  of the N.W. $\frac{1}{4}$  of the S.W. $\frac{1}{4}$ ; the N. $\frac{1}{2}$  of the S.E. $\frac{1}{4}$  and the S.W. $\frac{1}{4}$  of the S.E. $\frac{1}{4}$  of Sec.21; the N.E. $\frac{1}{4}$  of Sec. 22; the W $\frac{1}{2}$  of the N.E. $\frac{1}{4}$ ; the N.W. $\frac{1}{4}$  of the N.W. $\frac{1}{4}$  and the S. $\frac{1}{2}$  of the N.W. $\frac{1}{4}$  of Sec.28; the S. $\frac{1}{2}$  of the N.E. $\frac{1}{4}$  of Sec. 33; the S.W. $\frac{1}{4}$  of the N.W. $\frac{1}{4}$  and the N.W. $\frac{1}{4}$  of the S.W. $\frac{1}{4}$  of Sec. 34, all in T.37S., R13E., Willamette Base and Meridian; and the S.E. $\frac{1}{4}$  of the N.E. $\frac{1}{4}$  of Sec. 4 T38S, R13E - Willamette Base and Meridian. Containing 1200 acres of land, more or less.

to have and to hold by the grantee and grantee's heirs, successors and assigns, forever.

The true and actual consideration paid for this conveyance, stated in terms of dollars, is zero. This conveyance is to formalize of record the distribution of certain real property assets of the Estate of Elliott S. Miner to Aileen H. Miner, devisee, pursuant to Court Order dated March 28, 1955 as aforesaid.

IN WITNESS WHEREOF, Aileen H. Miner, in her capacity as Executrix of the Last Will and Testament of Elliott S. Miner, deceased, has hereunto set her hand, as of the day and year first above written.

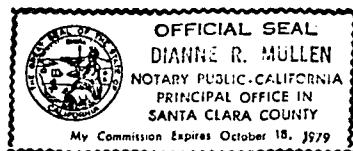
Aileen H. Miner  
Aileen H. Miner, Executrix of the  
Last Will and Testament of  
Elliott S. Miner, deceased.

13161

STATE OF California , )  
 ) ss.  
County of Santa Clara )

BE IT REMEMBERED, that on this 3rd day of June,  
1977, before me, the undersigned, a Notary Public in and for said  
County and State, personally appeared the within named Aileen H.  
Miner known to me to be the identical individual who executed the  
within instrument and acknowledged to me that she executed  
the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and  
affixed my official seal the day and year last above written.



Dianne R. Mullen  
Notary Public for Santa Clara County

My commission expires Oct. 18, 1979

## A F F I D A V I T

STATE OF California, )  
County of Santa Clara. ) ss.

AILEEN H. MINER, LILLIAN ANNE REINHARDT, JOHN ELLIOTT MINER and NEILL WILLIAM MINER, being first duly sworn upon oath depose and say that:

1. ELLIOTT S. MINER, also known as E. S. Miner, died testate on August 25, 1953 in the County of Santa Clara, State of California, and was at the time of his death a resident of said County and State.

2. At the date of his death, the only heirs at law of Elliott S. Miner were Aileen H. Miner, his wife, and the issue of that marriage, Lillian Anne Reinhardt, John Elliott Miner and Neill William Miner. There were no living children of a deceased child of Elliott S. Miner who survived him.

3. The Last Will and Testament of Elliott S. Miner was admitted to probate in the Superior Court for the County of Santa Clara of the State of California and a Decree of Settlement and Final Distribution was thereafter duly issued by that Court on March 28, 1955. That Decree provided, among other things, that decedent's residuary estate be distributed to Aileen H. Miner, affiant hereunder.

4. In accordance with the terms of the Last Will and Testament of Elliott S. Miner, and pursuant to the Court's Decree of Settlement and Final Distribution, the final distribution of his estate was effected by distributing \$500 each to John Elliott Miner and Neill William Miner (Lillian Anne Reinhardt waived her legacy of \$500) and distributing the residue and remainder of the estate to the said Aileen H. Miner.

5. The only property owned by the decedent in Oregon was an undivided one-third interest in certain real property situate in the County of Klamath, State of Oregon, and described as follows:

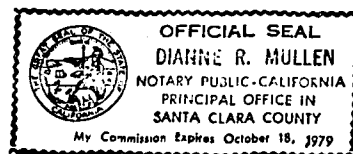
The N.W.1/4 of the N.W.1/4 of Sec. 13; the S.E.1/4 of the N.E.1/4 of Sec. 14; the N.W.1/4 of the N.W.1/4 of Sec. 15; the S.W.1/4 of the N.E.1/4 of Sec. 20; the N.1/2 of the N.W.1/4 of the S.W.1/4; the N.1/2 of the S.E.1/4 and the S.W.1/4 of the S.E.1/4 of Sec. 21; the N.E.1/4 of Sec. 22; the W.1/2 of the N.E.1/4; the N.W.1/4 of the N.W.1/4 and the S.1/2 of the N.W.1/4 of Sec. 28; the S.1/2 of the N.E.1/4 of Sec. 33; the S.W.1/4 of the N.W.1/4 and the N.W.1/4 of the S.W.1/4 of Sec. 34, all in T.37S., R13E., Willamette Base and Meridian; and the S.E.1/4 of the N.E.1/4 of Sec. 4 T38S, R13E - Willamette Base and Meridian. Containing 1200 acres of land more or less.

6. Decedent's interest in said Oregon real property had a market value of less than \$10,000 at the date of his death. All debts of the decedent, including California taxes, were duly satisfied and no Oregon inheritance taxes were due. Accordingly, no ancillary probate or filing of an Oregon inheritance tax report was undertaken.

7. All the heirs of Elliott S. Miner agree that all legal and equitable title to the above-described Oregon real property was passed to affiant Aileen H. Miner pursuant to the aforesaid residuary bequest of Elliott S. Miner to the said Aileen H. Miner, and all the affiants hereunder (other than the said Aileen H. Miner) agree, each for himself or herself, that they had no interest in said residuary bequest.

Aileen H. Miner  
AILEEN H. MINER

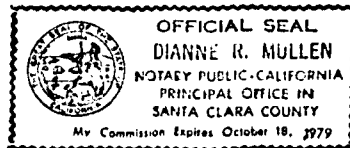
SUBSCRIBED AND SWORN to before me this 3rd day of June, 1977.



Dianne R. Mullen  
Notary Public for Santa Clara County  
My commission expires Oct. 18, 1979  
Lillian Anne Reinhardt  
LILLIAN ANNE REINHARDT

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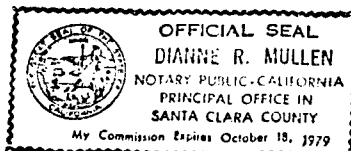
1977. SUBSCRIBED AND SWORN to before me this 3rd day of June ,



Dianne R. Mullen  
Notary Public for Santa Clara County  
My commission expires Oct. 18, 1979

John Elliott Miner  
JOHN ELLIOTT MINER

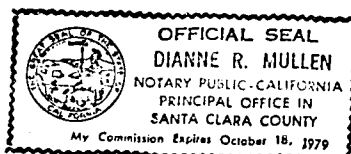
1977. SUBSCRIBED AND SWORN to before me this 3rd day of June ,



Dianne R. Mullen  
Notary Public for Santa Clara County  
My commission expires Oct. 18, 1979

Neill William Miner  
NEILL WILLIAM MINER

1977. SUBSCRIBED AND SWORN to before me this 3rd day of June ,



Dianne R. Mullen  
Notary Public for Santa Clara County  
My commission expires Oct. 18, 1979

STATE OF OREGON; COUNTY OF Klamath; ss.

Filed for record at request of XXXXXXXXXX

this 21th day of JUNE A. D. 19 77 at 2155 P M and  
fully recorded in Vol. 177 of DEEDS on Page 11182

FEE \$ 18.00

W. D. MILNE, County Clerk

[Signature]

Rev. Geo. C. Spencer Esq  
1200 Banky Oak Tower  
Santitas Ave 97205