

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY
 2 PROBATE DEPARTMENT
 3 IN THE MATTER OF THE ESTATE OF) No. P-84-76
 4 Verna Russell Matthews, Deceased.) ORDER APPROVING FINAL ACCOUNT
 5) AND
 6) DECREE OF FINAL DISTRIBUTION

7 The personal representative filed her final account on the
 8 29th day of March, 1983, with a Waiver of Notice by the heirs
 9 of the estate and a consent to the final account and immediate
 10 entry of an Order and Decree of Final Distribution. The court
 11 finds that:

12 1. All Oregon income, inheritance and personal property taxes
 13 have been paid and appropriate receipts, releases and clearances
 14 therefor have been filed herein.

15 2. The personal representative's fee and attorney's fees
 16 as set forth in the final account are reasonable and proper and
 17 are hereby approved.

18 3. The remaining property of the estate consisting of real
 19 property situated in Klamath and Jackson Counties Oregon is vested
 20 in Velma Matthews Noble and Verta Matthews Harper as set forth in
 21 the final account filed herein.

22 4. The final account should be approved.

23 IT IS HEREBY ORDERED AND DECREED:

24 1. The final account is approved.

25 2. The personal representative is directed to pay the fees
 26 of the personal representative and the fees and costs of the
 attorneys in the amounts set forth in the final account.

BROPHY, WILSON
 & DUHAIME
 ATTORNEYS AT LAW
 P.O. BOX 128
 MEDFORD, OREGON

Order & Decree

3. The ownership of the remaining property of said estate,
consisting of real property situated in Klamath and Jackson Counties
Oregon, is vested as follows:

A) In Velma Matthews Noble and Verta Matthews Harper
each an undivided one-half interest as tenants in common in
and to the following described real property situated in
Jackson County, Oregon, to-wit:

The Northwest quarter of the Southwest quarter of
Section 12, Township 34 South, Range 1 East,
of the Willamette Meridian.

B) In Velma Matthews Noble and Verta Matthews
Harper each an undivided one-half interest as tenants
in common in and to the following described real
property situated in Klamath County, Oregon, to-wit:

Lot One (1) in Block Three (3) of GARDNER'S ADDITION
to Fort Klamath, Oregon.

C) In Velma Matthews Noble, as her sole and separate
property the following described property situated in
Jackson County, Oregon, to-wit:

1. All that portion of the northwest quarter of
Section 31, Township 35 South, Range 1 East, of
the Willamette Meridian, lying southerly of Brophy
Road, and Government Lots 2 and 3 in the southwest
quarter of said Section 31. LESS AND EXCEPTING THEREFROM,
the following: Commencing at a point in the center of the
County Road (Eagle Point-Brownsboro Road) from which the
Southeast corner of Section 31, Township 35 South, Range 1
East, Willamette Meridian, Jackson County, Oregon, bears
South 818.09 feet and East 1724.32 feet; thence North
01° 13' 00" West 30.00 feet to the Northerly right of way
line of said County Road from which a found 1-inch iron bolt
bears South 01° 13' 00" East 0.23 feet; thence along said
right of way line the following two courses: South 88° 18'
40" West 417.85 feet to a 5/8 inch iron pin; thence
along the arc of a 400.00 foot radius curve concave to the
left (the long chord to which bears South 66° 57' 58"
West 291.19 feet) 298.03 feet; thence leaving said right
of way line North 49° 25' 00" West 322.45 feet to a found
5/8 inch iron pin on the North and South centerline of said
Section 31; thence along said North and South centerline
North 00° 08' 25" West 397.59 feet to a found 5/8 inch iron
pin for the true point of beginning; thence South 89° 51'

1 35" West 40.00 feet to a 5/8 inch iron pin; thence North
 2 00° 08' 25" West parallel to said North-South centerline
 3 275.42 feet to a 5/8 inch iron pin; thence North 84° 28' 15"
 4 East 40.18 feet to intersect said North-South centerline
 5 at a 5/8 inch iron pin being the Northwest corner of the
 tract described in Jackson County Instrument No. 71-03938 of the
 Official Deed Records in Jackson County, Oregon; thence South
 00° 08' 25" East along said North-South centerline 279.19 feet
 to the true point of beginning.

6 2. The South half of the Southeast quarter of the
 7 Northeast quarter and Lot 6, in Section 36, Township
 8 35 South, Range 1 West of the Willamette Meridian,
 9 Jackson County, Oregon. EXCEPTING therefrom the
 10 following: Beginning at a point 30.0 feet West of
 11 the Northwest corner of Donation Land Claim No. 37,
 12 Township 35 South, Range 1 West, Willamette Meridian,
 13 Jackson County, Oregon, thence South, 603.2 feet
 14 parallel with the West line of said Claim, to the
 South line of Lot 6 in said Section 36; thence West,
 353.0 feet to the Southwest corner of said Lot; thence
 North 603.2 feet to the point due West of the Point
 of beginning, and thence East, 353.0 feet to the
 point of beginning, TOGETHER WITH that property lying
 westerly thereof and easterly of the boundary line as
 described in that certain Boundary Line Agreement of
 January 30, 1971, recorded as Instrument No. 71-12491
 in the Official Records of Jackson County, Oregon.

15 3. The South half of the Northeast quarter and
 16 the East half of the Southeast quarter of Section 15
 17 in Township 35 South, of Range 1 West of the Willamette
 Meridian.

18 4. The Southwest quarter of the Southwest quarter
 19 of Section 25, Township 35 South, Range 1 West of the
 20 Willamette Meridian, TOGETHER WITH an easement across
 21 the Southeast quarter of the Southwest quarter of said
 22 Section 25 for the use and maintenance of the existing
 water line from the herein described premises to the
 City of Medford pipeline and for the existing ditch
 from the herein described premises to the Eagle Point
 Irrigation District Ditch.

23 5. The Northwest quarter of the Southeast quarter
 24 of Section 24, Township 35 South, Range 1 West, of
 the Willamette Meridian.

25 6. The Southwest quarter of the Southeast quarter
 26 of Section 24, Township 35 South, Range 1 West of the
 Willamette Meridian.

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7. The Northeast quarter of Section 25, Township 35, South Range 1 West of the Willamette Meridian, less and excepting those premises described as follows: Commencing at the Northeast corner of Section 25, Township 35 South, Range 1 West of the Willamette Meridian Jackson County, Oregon; thence South, along the East line of said Section 774.00 feet; thence continue South, along said easterly line 208.76 feet, more or less to the northerly right-of-way line of Brophy Road (county road); thence West along said right-of-way line 417.50 feet; thence North 208.76 feet; thence East 417.50 feet, more or less, to the point of beginning.

8. Beginning at the Southwest corner of Donation Land Claim No. 42, Township 35 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence Easterly along the South boundary of said Claim, a more or less distance of 140 feet to intersect the Westerly right-of-way line of Reese Creek (county) Road; thence Southwesterly along said Road line to an intersection with the West boundary of Section 14, said Township and Range; thence Northerly along said Section boundary to the point of beginning.

TOGETHER WITH all of the right, title and interest of Verna Russell Matthews and the Estate of Verna Russell Matthews deceased, in lands lying contiguous to and immediately Northerly from the Northerly boundary of the hereinbefore described tract, within said Donation Land Claim No. 42, the existing fence line running in a Southeasterly direction and lying Westerly from the Westerly right-of-way line of Reese Creek (County) Road.

9. Commencing at the corner common to Section 14, 15, 22, and 23, Township 35 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence along the West boundary of said Section 23, South $0^{\circ} 02' 35''$ West, 212.22 feet to a $5/8$ " rebar with plastic cap for the true point of beginning; thence continue along said Section boundary, South $0^{\circ} 02' 35''$ West, 1771.89 feet to a point in Ball (County) Road; thence along the average existing center of said Road as follows: North $89^{\circ} 56'$ East, 1706.80 feet, 384.52 feet on the arc of a 409.26 foot radius curve left (the long chord bears North $63^{\circ} 01'$ East, 370.54 feet), North $36^{\circ} 06'$ East, 709.62 feet; thence along said average Road center on the arc of a 204.63 foot radius curve right a more or less distance of 230 feet to intersect the "North-South" center line of said Section 23; thence Northerly along said Section center line, a more or less distance of 950 feet to a point due east from the true point of beginning; thence due West, a more or less distance of 30 feet to a $5/8$ " rebar with plastic cap; thence continue due West, 2626.5 feet to the true point of beginning.

BROPHY, WILSON
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P.O. BOX 128
MEDFORD, OREGON

Order & Decree

1 TOGETHER WITH all of the right, title and interest of
 2 Verna Russell Matthews and the Estate of Verna Russell Matthews
 3 deceased, in lands immediately contiguous with the East
 4 boundary of the hereinbefore described tract that lie
 5 within the existing fence line and also that strip of
 6 land lying West from the hereinbefore described tract,
 7 lying Easterly from the Easterly right-of-way line
 8 of Reese Creek (County) Road and lying Northerly
 9 from the Westerly extension of the South boundary of the
 10 hereinbefore described tract.

11 10. Plots 1 and 2 of Lot No. 5, Block No. 25 in the
 12 Odd Fellows Cemetery of Central Point, Oregon according
 13 to the plat thereof now of record in the Office of the
 14 County Recorder of Jackson County Oregon in Volume 1,
 15 Page 110 thereof.

16 D). In Verta Matthews Harper as her sole and separate
 17 property, the following described property situated in
 18 Jackson County Oregon, to-wit:

19 1. All that portion of the southwest quarter and the
 20 southwest quarter of the southeast quarter of Section 16,
 21 Township 35 South, Range 1 West of the Willamette Meridian
 22 lying south of the Sams Valley Highway (Oregon State
 23 Highway #234).

24 2. The Southwest quarter of the Southeast quarter of
 25 Section 23, Township 35 South, Range 1 West of the Willamette
 26 Meridian.

That certain Grant of Right of Way described in Deed
 recorded in Volume 230 at Page 422 of the Jackson County
 Deed Records.

3. The Southeast quarter of the Southwest quarter
 of Section 25, Township 35 South, Range 1 West of the
 Willamette Meridian.

SUBJECT TO: an easement for the use and maintenance
 of the existing water line from the City of Medford
 pipeline and for the existing ditch from the Eagle Point
 Irrigation District ditch to the Southwest quarter of the
 Southwest quarter in said Section 25.

4. Commencing at the corner common to Sections 14, 15,
 22 and 23, Township 35 South, Range 1 West of the Willamette
 Meridian in Jackson County, Oregon, thence along the West
 boundary of said Section 23, South 0° 02' 35" West, 1984.11
 feet to a point in Ball (County) Road for the true point
 of beginning; thence along the average existing center of

1 said Road as follows: North 89° 56' East, 1706.80 feet,
 2 384.52 feet on the arc of a 409.26 foot radius curve left
 3 (the long chord bears North 63° 01' East, 370.54 feet),
 4 North 36° 06' East, 709.62 feet; thence along said average
 5 Road center on the arc of a 204.63 foot radius curve right,
 6 a more or less distance of 230 feet to intersect the
 7 "North-South" center line of said Section 23; thence
 8 Southerly along said Section center line to the Center
 9 South one-sixteenth corner of said Section 23; thence
 10 Westerly to the Southwest one-sixteenth corner of said Section
 11 23; thence Northerly to the Center-West one-sixteenth corner
 12 of said Section 23; thence Westerly to the West Quarter
 13 corner of said Section 23; thence along the West boundary
 14 of said Section 23, North 0° 02' 35" East to the true
 15 point of beginning.

16 TOGETHER WITH all of the right, title and interest of
 17 Verna Russell Matthews and the Estate of Verna Russell Matthews
 18 deceased, in lands immediately contiguous with the
 19 Easterly, Westerly and both Southerly boundaries of the
 20 hereinbefore described tract that lie within the existing
 21 fence lines and also that strip of land lying Westerly
 22 from the hereinbefore described tract, lying Southerly
 23 from the Westerly extension of the Northerly boundary of
 24 the hereinbefore described tract, lying Easterly from
 25 the Easterly right-of-way line of Reese Creek (County) Road
 26 and lying Northerly from the "North-South" center line
 of said Section 23.

5. Beginning at the corner common to Sections 14, 15, 22
 and 23, Township 35 South, Range 1 West of the Willamette
 Meridian in Jackson County, Oregon; thence along the West
 boundary of said Section 23, South 0° 02' 35" West, 212.22
 feet to a 5/8" iron rebar with plastic cap; thence East,
 2626.5 feet to a 5/8" iron rebar with plastic cap; thence
 continue East, a more or less distance of 30 feet to intersect
 the "North-South" center line of said Section 23; thence
 Northerly, a more or less distance of 220 feet to the North
 Quarter corner to said Section 23; thence Northerly along
 the "North-South" center line of said Section 14, a more or
 less distance of 780 feet to intersect the South boundary
 of Donation Land Claim No. 42, said Township and Range; thence
 Westerly along said Claim boundary to intersect the Easterly
 right-of-way line of Reese Creek (County) Road; thence
 Southwesterly along said Road line to intersect the West
 boundary of said Section 14; thence Southerly along said
 Section 14 boundary to the point of beginning.

TOGETHER WITH all of the right, title and interest of
 Verna Russell Matthews and the Estate of Verna Russell Matthews
 deceased, in lands immediately contiguous with the North
 boundary of the hereinbefore described tract that lie

1 within the existing fence line and also that strip of land
 2 lying adjacent to the Easterly right-of-way line of Reese
 3 Creek (County) Road and lying contiguous to and immediately
 4 West of the hereinbefore described tract.

5 6. Plots 5 and 6 of Lot No. 5, Block No. 25 in the Odd
 6 Fellows Cemetery of Central Point, Oregon according to the
 7 plat thereof now of record in the Office of the County
 8 Recorder of Jackson County Oregon in Volume 1, Page 110 thereof.

9 DATED this 29 day of Mar., 1983

10 L. L. SAWYER
 11 Circuit Judge

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RECORDED
FILED
MAR 29 4 58 PM '83

This instrument is a correct copy of
the original on file in this office.
ATTEST MAR 29 1983
Circuit Court — Trial Court Clerk
State of Oregon — Jackson County

24 STATE OF OREGON; COUNTY OF KLAMATH; ss.

25 Filed for record .

26 this 4 day of April A.D. 19 83 at 8:55 clock A.M. and

duly recorded in Vol. M83, of Deeds on a r4887.

BROPHY, WILSON
& DUHAIME
ATTORNEYS AT LAW
P.O. BOX 128
MEDFORD, OREGON

Order & Decree By EVELYN BEHN, County Clerk

28.00