

NL 67262

QUITCLAIM DEED

Vol. m93 Page 22129

KNOW ALL MEN BY THESE PRESENTS, That HELEN M. KUNDERT

for the consideration hereinafter stated, does hereby remise, release and quitclaim unto

JAMES F. KENYON

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

NW $\frac{1}{4}$ of Governmnet Lot 1, Section 18, Township 35 South, Range 13 East of the Willamette Meridian.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ clear title

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 28th day of July, 19 93

if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized thereto by order of its board of directors.

THIS INSTRUMENT WILL 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 APPROVED USES.

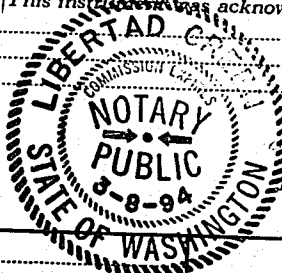
Helen M. Kundert
HELEN M. KUNDERT

STATE OF OREGON, County of Kins

This instrument was acknowledged before me on July 28, 19 93, by Helen M. Kundert

This instrument was acknowledged before me on _____, 19 _____, by _____

as _____ of _____



Libertad Green

My commission expires 3-8-94 Notary Public for Oregon

STATE OF OREGON, County of _____ } ss.

I certify that the within instrument was received for record on the _____ day of _____, 19 _____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said County.

Witness my hand and seal of County affixed.

NAME TITLE
By _____, Deputy

Grantor's Name and Address

Grantee's Name and Address

After recording return to (Name, Address, Zip):
Klamath County Title Company
422 Main Street
Klamath Falls, Oregon 97601

Until requested otherwise send all tax statements to (Name, Address, Zip):

SPACE RESERVED FOR RECORDER'S USE

22130

LAST WILL AND TESTAMENT

OF

RICHARD ALAN KUNDERT

I, RICHARD ALAN KUNDERT, of 32807 - 35th Ave. S.W., Federal Way, State of Washington, being of sound and disposing mind and memory and not acting under duress, menace, fraud or undue influence, do hereby make, publish, and declare this my Last Will and Testament. I hereby expressly revoke any and all former Wills and Codicils.

I.

My immediate family now consists of my wife, HELEN MAE KUNDERT, my daughter KATHY KAY born July 27, 1953, my daughter CHRISTINE ANN born May 22, 1958, my son KURT ALAN born November 11, 1961. One child, KIM, predeceased me, having died at birth. To each of the aforementioned surviving children and to each child which may be hereafter born to or adopted by my wife and myself, I leave the sum of \$1.00 and my love and affection.

II.

I hereby direct that all just debts for which proper claims are filed against my estate, and the expenses of my last illness and funeral be paid by my Executor hereinafter named as soon after my death as is convenient, PROVIDED, HOWEVER, that this direction shall not authorize the payment of any debts or obligations prior to their maturity in due course.

III.

All the rest, residue and remainder of my estate of whatever description or location or over which I have the power of testamentary disposition or any interest in whatsoever, I give, devise and bequeath unto my wife, HELEN MAE KUNDERT, provided she survives me by 30 days. In the event she should predecease me or our deaths should occur simultaneously or approximately so, or in the same common accident or calamity, or under circumstances causing doubt as to which of us survived the other, then in that event, I give, bequeath and devise my estate to my children, KATHY KAY, CHRISTINE ANN and KURT ALAN, in equal shares, share and share alike. In the event that any of them

do not survive me, but leave surviving issue, their share shall pass by representation to their issue surviving my death, per stirpes. In the event any of my children predecease me without leaving issue, then their share shall be distributed among my remaining living children in equal shares.

If any beneficiary entitled to receive a share shall be under the age of twenty-seven (27) years, JANICE A. DRYE shall act as impartial Trustee and shall hold in trust hereunder the share of any such beneficiary and final distribution of such beneficiary's share so held in Trust hereunder shall be made at the time such beneficiary attains the age of twenty-seven (27) years.

From the income and principal, the Trustee shall make discretionary distributions for the care, maintenance, health and education of any child or child's issue of mine under the age of twenty-one (21) years, and for the care, maintenance, health and education of any child or child's issue of mine, regardless of age, who is unable to earn his own living or who is unable to meet an emergency with which he may be confronted.

Upon reaching the age of twenty-one, the Trustee shall distribute one-third of the principal of such share to each child or child's issue. Likewise, when said child or child's issue reaches the age of twenty-four years, the Trustee shall distribute to him one-third of the remaining principal of his fund. When any child or child's issue reaches the age of twenty-seven years, the Trustee shall distribute to him the balance of his fund.

IV.

Neither the income nor the principal of any trusts created by this Will shall be alienable by any beneficiary, either by assignment or by any other method, and the same shall not be subject to be taken by his creditors by any process whatever. This provision shall not limit the exercise of any power of appointment.

V.

If any articles of personal property pass to more than one child of mine, such children shall have sixty (60) days from the date of my

Handwritten signature

death to divide such property among themselves. If such children do not agree among themselves to a division within the said period, I give my Executor authority to make an equitable distribution of such articles and any proceeds from the sale thereof among such children. In so doing, he may direct the sale of any or all of such property to one or more of my beneficiaries or to others.

VI.

In the event that neither my wife nor children nor children's issue survive me, I hereby give, devise and bequeath all the rest, residue, and remainder of my estate, whether real or personal, and wheresoever located to GARETH VANCE and BEVERLY KUNDERT, RR 4 Box 217, Juda, Wisconsin 53550.

VII.

I hereby nominate and appoint as Executrix of this my Last Will and Testament, my wife, HELEN MAE KUNDERT, Federal Way, State of Washington, without bond and provide that no bond be required of her as such, hereby giving and granting unto my said Executrix full and absolute power in the premises to manage my said estate from the date of her appointment in the same manner as I might do if living, including the power to mortgage, sell, exchange or convey any or all of my said estate. I further provide that in the event of the prior death, failure, or refusal of my said wife to act or qualify as such Executrix then I appoint JANICE A. DRYE to act as Executrix, without bond and with the same powers as are granted herein above to my primary Executrix.

VIII.

I hereby direct that my estate be settled without intervention of any court, except to the extent required by law, and that my Executrix settle my estate in such manner as shall seem best and most convenient, and I hereby empower my Executrix to mortgage, lease, sell, exchange and convey the personal and real property of my estate without an order of court for that purpose and without notice, approval or confirmation and in all other respects to administer and settle my estate without the intervention of court.

Richard Alan Kundert

My Executrix shall pay all estate, inheritance, and succession taxes assessed by reason of my death, whether attributable to property passing under this Will or outside it, from the residue of my estate disposed of by this Will. I waive for my estate all right of reimbursement for such payments.

In Witness whereof I have hereto set my hand this 21 day of January, 1980.

Richard Alan Kundert
Testator

The foregoing instrument, consisting of 4 typewritten pages, of which this is the last, was on the date thereof signed and published by RICHARD ALAN KUNDERT, who, at said time, appeared to be of sound and disposing mind and memory, and was by him declared to be his Last Will and Testament, in the presence of us, who, at his request and in his presence and in the presence of each other, have hereunto set our hands as witnesses thereto this 21 day of January, 1980. Each page of this Will bears the signature of the Testator.

Sharon M. Richards

Kelma L. Worthley

Juanita J. Sanchez
21st January 1980
Nitany

Richard Alan Kundert

AFFIDAVIT OF WITNESS TO WILL OF

Richard Alan Kundert
Testator

STATE OF WASHINGTON))
COUNTY OF SPOKANE) SS.

Sharon M. Richards, being first duly sworn,
on oath, deposes, testifies and says:

I am one of the subscribing witnesses to the said Testator's
Last Will and Testament, which bears date of 21 January 1980.
On said date I knew said Testator and the other subscribing witness(es)
to the said Will, namely: Richard Alan Kundert
Velma L. Werthley

The above identified Will was signed by said Testator on the
date it bears in the presence of myself and the other witness(es)
and the Testator thereupon published the said instrument as and
declared it to be the said Testator's Last Will and Testament and
requested the other named witness(es) and me to sign the same as
witnesses thereto.

Then and there in the presence of the said Testator and in
the presence of each other the witness(es) named and I subscribed
our names as witnesses thereto.

At the time of executing said instrument the said Testator was
of lawful age and was of sound and disposing mind and memory and
was not acting under duress, menace, fraud, undue influence or
misrepresentation.

This affidavit is executed at the request of said Testator
Richard Alan Kundert, and is attached to
the said Testator's original Last Will and Testament, or a copy
thereof.

SUBSCRIBED AND SWORN to before me on January 21st 1980.

Jessie J. Lewis
Notary Public in and for the State
of Washington, residing at Spokane

AFFIDAVIT OF WITNESS TO WILL
page one

AFFIDAVIT OF WITNESS TO WILL OF

Richard Alan Kundert
TestatorSTATE OF WASHINGTON))
COUNTY OF SPOKANE) SS.Velma L. Worthley, being first duly sworn,
on oath, deposes, testifies and says:

I am one of the subscribing witnesses to the said Testator's Last Will and Testament, which bears date of 21 January 1980. On said date I knew said Testator and the other subscribing witness(es) to the said Will, namely: Richard Alan Kundert
Sharon M. Richards

The above identified Will was signed by said Testator on the date it bears in the presence of myself and the other witness(es) and the Testator thereupon published the said instrument as and declared it to be the said Testator's Last Will and Testament and requested the other named witness(es) and me to sign the same as witnesses thereto.

Then and there in the presence of the said Testator and in the presence of each other the witness(es) named and I subscribed our names as witnesses thereto.

At the time of executing said instrument the said Testator was of lawful age and was of sound and disposing mind and memory and was not acting under duress, menace, fraud, undue influence or misrepresentation.

This affidavit is executed at the request of said Testator Richard Alan Kundert, and is attached to the said Testator's original Last Will and Testament, or a copy thereof.

SUBSCRIBED AND SWORN to before me on January 21st 1980.

Joanita J. Sorenson
Notary Public in and for the State
of Washington, residing at Spokane

AFFIDAVIT OF WITNESS TO WILL
page one

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title co the 31st day
of Aug. A.D., 19 93 at 2:17 o'clock PM., and duly recorded in Vol. M93,
of Deeds on Page 22129.

FEE \$50.00

Evelyn Biehn County Clerk

By Pauline Mullendore