

BY THESE PRESENTS, That STANLEY C. MASTEN and PATRICIA A. MASTEN, as tenants by the entirety hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JAMES D. SMITH and MELISSA L. SMITH, as tenants by the entirety, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, the certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of KLAMATH and State of Oregon, described as follows, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

SUBJECT TO: REAL ESTATE CONTRACT, INCLUDING THE TERMS AND PROVISIONS THEREOF,
A MEMORANDUM OF WHICH WAS RECORDED IN VOLUME M89, 14219, MICROFILM
RECORDS OF KLAMATH COUNTY, OREGON, WHICH BUYERS HEREIN DO NOT
AGREE TO ASSUME AND PAY.

MOUNTAIN TITLE COMPANY

MOUNTAIN TITLE COMPANY

"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 and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930."

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple and the above granted premises, free from all encumbrances, and that said premises are in record and those apparent.

record and those apparent upon the land, if any, as the date of this deed and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances. The true and actual consideration paid for this transfer, stated in terms of dollars and cents, is \$100.00.

...and actual consideration paid for this transfer, including under the above described encumbrances, ~~with respect to the above described transfer, is \$ 40,000.00~~ stated in terms of dollars, is \$ 40,000.00

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

if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

STATE OF OREGON,
County of Klamath
December 9, 19 94 ss.

STANLEY C. MASTEN
PATRICIA A. MASTEN

Personally appeared the above named

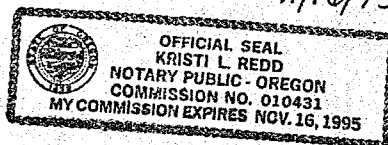
~~STANLEY C. MASTEN~~
~~PATRICIA A. MASTEN~~

_____ and acknowledged the foregoing instrument
to be _____ their _____ voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires: 11/16/95



STATE OF OREGON, County of _____) ss.
The foregoing instrument was acknowledged before me this _____
_____, 19_____, by _____,
_____, president, and by _____,
_____, secretary of _____.

a _____ corporation, on behalf of the corporation.

Notary Public for Oregon
My commission expires:

(SEAL)

STANLEY C. MASTEN and PATRICIA A. MASTEN
P.O. Box 156
Bonanza, OR 97623

Bonanza, OR 97623

GRANTOR'S NAME AND ADDRESS

JAMES B. SMITH and MELISSA L. SMITH
28602 HWY. 70

BONANZA, OR 97623

GRANTEE'S NAME AND ADDRESS

After recording return on

JAMES B. SMITH and MELISSA L. SMITH
28602 HWY 70

BONANZA, OR 97623

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address:

~~JAMES B. SMITH and MELISSA L. SMITH~~
~~8602 HWY 70~~

ORANZA, OR 97623

NAME, ADDRESS, ZIP

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 _____ on page _____ or as
file/reel number _____
Record of Deeds of said county.
Witness my hand and seal of County
affixed.

By _____ Recording Officer
Deputy

MOUNTAIN TITLE COMPANY

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37491

EXHIBIT "A" LEGAL DESCRIPTION

A tract of land situated in the NE 1/4 SW 1/4 of Section 5, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the Southwesterly right of way line of the Dairy-Bonanza Highway, said point being North 43 degrees 48' 19" East a distance of 2158.79 feet from the Southwest corner of said Section 5; thence South 32 degrees 11' 38" West 178.21 feet to a 5/8 inch iron pin; thence North 58 degrees 52' 04" West 109 feet, more or less, to the West line of the NE 1/4 SW 1/4 of said Section 5; thence Northerly along the West line of the NE 1/4 SW 1/4 of said Section 5 217.3 feet, more or less, to the Southwesterly right of way line of said Dairy-Bonanza Highway; thence South 56 degrees 59' 00" East along said right of way line 225.5 feet, more or less to the point of beginning, with the bearings being based on a solar observation.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co
of Dec A.D. 19 94 at 1:51 o'clock P M., and duly recorded in Vol. 9th day
of Deeds on Page 37490
Evelyn Biehn - County Clerk
By Quilene Miller

FEE \$35.00