

## TRUSTEE'S DEED

MTC 36829 KR

KNOW ALL MEN BY THESE PRESENTS that the Bankruptcy Estate of KLAMATH POTATO DISTRIBUTORS, INC., Bankruptcy Case No. 694-61005-aer7, now pending in the United States Bankruptcy Court for the District of Oregon, by and through its duly appointed and acting Trustee, BOYD C. YADEN, herein called "GRANTOR", acting in his capacity as Trustee and not individually, by virtue of the power and authority given a bankruptcy trustee under the laws of the United States of America, for the consideration hereinafter stated, does hereby grant, bargain, sell, convey and release to ROSS T. FLEMING & ANNA M. FLEMING, <sup>husband and wife</sup> /, herein called "GRANTEE", and unto Grantee's successors and assigns, all of the interest vested in the Debtors in the subject property described herein, at the time of the filing of the above referenced bankruptcy case, and which passed to the Bankruptcy Estate by operation of law and became subject to administration of the Trustee, together with all after acquired title of the Bankruptcy Estate, if any, all tenements, hereditaments, appurtenances thereunto belonging, or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

SEE ATTACHED LEGAL DESCRIPTION ON EXHIBIT "A" WHICH IS MADE A PART  
HEREOF BY THIS REFERENCE.

## SUBJECT TO AND EXCEPTING:

All liens, encumbrances, easements, or any other interest of  
record, of any type or nature.

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Return MTC

The Trustee's power and authority to dispose of such property of the Bankruptcy Estate originates in 11 USC § 363, and this transfer is made following notice to "interested persons" and an opportunity for hearing pursuant to such law.

The consideration for this transfer is \$275,000.00.

Grantor makes this conveyance without any warranties express or implied. This conveyance and release is intended to transfer all of the Bankruptcy Estate's interest, if any, in the subject property described herein, to the Grantee, in its existing condition, AS IS, without any warranties express or implied. Grantee's recording of this Deed indicates Grantee's acceptance of this conveyance and release upon that basis.

Grantor covenants that this Deed is to be absolute in effect as pertains to the Bankruptcy Estate and conveys whatever right, title and interest the Bankruptcy Estate may have in the described property. This conveyance and release is not intended to operate as a mortgage, trust deed or security of any kind.

**WARNING: THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. 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 EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.**

In WITNESS WHEREOF, Grantor has executed this Deed this 9th day of January, 1996.

THE BANKRUPTCY ESTATE OF KLAMATH POTATO  
DISTRIBUTORS, INC., Case #694-61005-aer7

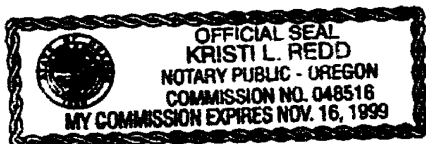
by:

Boyd Q. Yaden  
BOYD Q. YADEN

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STATE OF OREGON )  
 ) ss.  
 County of KLAMATH )

This instrument was acknowledged before me on the 9th day  
 of January, 1996 by BOYD C. YADEN, Trustee for the  
 Bankruptcy Estate of KLAMATH POTATO DISTRIBUTORS, Case No. 694-61005-aer7  
/INC. *Kristi L. Redd*



Notary Public for Oregon  
 My Commission Expires: 11/16/99

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

That portion of the E1/2 SE1/4 SE1/4 lying Southwesterly of the Northeasterly line of the C-7 Lateral and the West half of the Southeast quarter of the Southeast quarter and the Southwest quarter of the Southeast quarter of Section 7 and the North half of the Northeast quarter of Section 18, Township 40 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING THEREFROM that portion of the E1/2 SE1/4 SE1/4 lying within a parcel, more particularly described as follows:

Beginning at the West 1/4 corner of Section 7 or SW corner of NW1/4 of Section 7 a 5/8 inch rebar with Cap Stamp #290; thence South 0 degrees 12' 30" East 1355.4 feet and North 89 degrees 52' East 5040.9 feet to true point of beginning to a 5/8 inch rebar which is also in the South right of way of the Elliot Road. Thence South 0 degrees 08' East 332.0 feet to a 1/2 inch iron pin; thence South 89 degrees 52' West 372.0 feet to a 1/2 inch iron pin; thence North 0 degrees 08' West 332.0 feet to a 5/8 inch iron rebar; thence North 89 degrees 52' East 372.0 feet along the South right of way of Elliot Road to point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co the 12th day  
of Jan A.D., 19 96 at 3:56 o'clock P M., and duly recorded in Vol. M96,  
of Deeds on Page 1120

FEE \$45.00

By Bernetha G. Letsely County Clerk