

23810

THIS INDENTURE, made this 21 day of August, 1996, by and between Mark Wayne Toliver, the duly appointed, qualified, and acting Personal Representative of the Estate of Frank Kenneth Toliver, Klamath County Circuit Court Case No. 9500186 CV, deceased, hereinafter called the first party, and Lawrence A. Toliver as to a two thirds (2/3rds) undivided interest and Clarence I. Toliver as to a one third (1/3rd) undivided interest, each as tenants in common, hereinafter called the second party:

W I T N E S S E T H:

FOR VALUE RECEIVED and the consideration hereinafter stated, the receipt whereof hereby is acknowledged, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said second party and the second party's heirs, successors-in-interest and assigns all the estate, right and interest of the said deceased at the time of decedent's death, and all the right, title and interest that the said estate of said deceased by operation of the law or otherwise may have thereafter acquired in that certain real property situated in the County of Klamath, State of Oregon, legally described as follows, to wit:

"Southeast quarter of Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twelve (12) in Township Thirty-nine (39) South of Range Eight (8) East of the Willamette Meridian."

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.

THE TRUE AND ACTUAL CONSIDERATION paid for this transfer, stated in terms of dollars, is \$ -0-. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration, being distribution from out of the estate pursuant to Order Approving Final Account/Decree of Final Distribution.

IN WITNESS WHEREOF, the said first party has executed this instrument; if first party is a corporation, it has caused its corporate name to be signed hereto and its corporate seal affixed by its officers duly authorized thereunder by order of its Board of Directors.

ESTATE OF FRANK KENNETH TOLIVER

by: Mark Wayne Toliver
Mark Wayne Toliver, Personal Representative

STATE OF IDAHO/County of Teton ss.

PERSONALLY APPEARED BEFORE ME the above-named Mark Wayne Toliver and acknowledged the foregoing instrument to be his voluntary act and deed.

DATED this 21 day of Aug, 1996.

Notary Public for Idaho

My Commission expires: 12-21-99

GRANTORS NAME AND ADDRESS:

Mark Wayne Toliver, Personal Representative of the Estate of Frank K. Toliver

GRANTEES NAME AND ADDRESS:

c/o Neal G. Buchanan, 435 Oak, Klamath Falls, OR 97601

AFTER RECORDING, RETURN TO:

Lawrence A. Toliver - 8363 Hwy 26, Mokelumne Hill, CA 95245

UNTIL A CHANGE IS REQUESTED,
SEND TAX STATEMENT TO:

Clarence I. Toliver - 4978 Niagra Ave., #9, San Diego, CA 92107

Neal G. Buchanan, Attorney at Law
435 Oak, Klamath Falls, OR 97601

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Neal G Buchanan

on this 26th day of August A.D., 19 96
at 1:29 o'clock PM. and duly recorded
in Vol. M96 of Deeds Page 26336

Bernetha G Letsch, County Clerk,

By Cheryl Russell

Deputy.

Fee, \$30.00

NB-2/ PERSONAL REPRESENTATIVE'S DEED -1