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98 AUG -7 P3 25

ATC 02048024
PERSONAL REPRESENTATIVE'S DEED

Vol. 1198 Page 29093

THIS INDENTURE Made this 28th day of July, 19 98, by and between CHARLOTTE BEENEY the duly appointed, qualified and acting personal representative of the estate of HARVEY JAMES BEENEY deceased, hereinafter called the first party, and DIRK C. LUTMAN AND CYNTHIA S. LUTMAN HUSBAND AND WIFE hereinafter called the second party; WITNESSETH:

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 second party and second party's heirs, successors-in-interest and assigns all the estate, right and interest of the deceased at the time of decedent's death, and all the right, title and interest that the estate of the 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, described as follows, to-wit:

See Attached Exhibit "A"

Subject to:

- 1) Rights of the public in and to any portion of the herein described premises lying within the boundaries of roads or highways.
- 2) Regulations including levies, assessments, water and irrigation rights and easements for ditches and canals, or Horsefly Irrigation District.
- 3) Easement recorded December 8, 1959 in Book 317 at Page 526 Klamath County Deed Records
- 4) Easement recorded January 15, 1964 in Book 350 Page 464, Klamath County Deed Records
- 5) Easement recorded May 22, 1990 in Book M-90 at Page 9707, Klamath County Deed Records
- 6) Easement recorded April 2, 1998 in Book M-98 at Page 10795, Klamath County Deed Records

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

TO HAVE AND TO HOLD the same unto the second party, and second party's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$33,500.00

~~However, the actual consideration consists of or includes other property or value given or promised which in the whole consideration indicates which:~~

IN WITNESS WHEREOF, the first party has executed this instrument; if first party is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so 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.

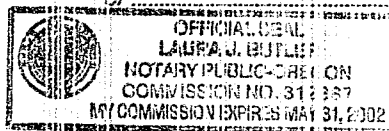
Charlotte Beeney, P.R.
Charlotte Beeney

Personal Representative
of the Estate of Harvey James Beeney Deceased.

NOTE—The sentence between the symbols Ⓢ, if not applicable, should be deleted. See ORI 93.030.

STATE OF OREGON, County of Klamath) ss.
This instrument was acknowledged before me on July 28, 19 98, by Charlotte Beeney, personal representative of the estate of Harvey James Beeney

This instrument was acknowledged before me on _____, 19____, by _____, ss _____ of _____



Notary Public for Oregon
My commission expires 5/31/2002

The Estate of Harvey James Beeney

Grantor's Name and Address
Dirk C. Lutman
Cynthia S. Lutman

Grantor's Name and Address
All questions return to (Name, Address, Zip):
Dirk C. Lutman
Cynthia S. Lutman
PO Box 61
Tillamook, Oregon
Until corrected, attach and all tax statements to (Name, Address, Zip):
Same as above

SPACE RESERVED FOR SECONDARY'S USE

STATE OF OREGON,) ss.
County of _____
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

EXHIBIT "A"

A portion of NW 1/4 of Section 34, Township 38 South, Range 11 1/2 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Northwest corner of Section 34, Township 38 South, Range 11 1/2 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence South along said Western boundary of said Section distant 1320 feet; thence East 1062 feet to the point of beginning; thence South 616 feet to center of a natural ditch; thence Southerly and Easterly along said ditch a distance of 593 feet; thence North 430 feet; thence West 91 feet; thence North 258 feet; thence West 502 feet to the point of beginning.

SAVING AND EXCEPTING THEREFROM that portion conveyed to State of Oregon for highway purposes by deed recorded in Book 107 at Page 23 and also that portion conveyed to Charles Inman by deed recorded in Book 130 at Page 581 and ALSO SAVING AND EXCEPTING that portion conveyed to James M. Barnes by Deed recorded in Book 133 at Page 513 and also that portion conveyed to Olive Mounts by Deed recorded in Book 133 at Page 245 and also that portion conveyed to John A. Jones by deed recorded in Book 217 at Page 165; and also SAVING AND EXCEPTING that portion conveyed to Elizabeth L. Bell by Deed recorded in Book 189 at Page 12, all Book and Page references being Deed Records of Klamath County, Oregon.

TOGETHER WITH the following described property:

A portion of S 1/2 NW 1/4 Section 34, Township 38 South, Range 11 1/2 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point where the boundary of that certain tract conveyed to Olive Fraley by Deed recorded in Book 182 at Page 253, Deed Records of Klamath County, Oregon, intersects the fence line marking the Westerly boundary of the property conveyed to A. L. Michael by Deed recorded in Book 66 at Page 552, Deed Records of Klamath County, Oregon, which point of beginning bears South 1 degree 45' East along said fence line a distance of 180 feet, more or less, from the Southeasterly right of way line of the Klamath Falls-Lakeview Highway; thence North 62 degrees 29' East along the Northwestern boundary of said Olive Fraley property, a distance of 51 feet; thence North 4 degrees 00' West 75 feet; thence South 89 degrees 25' West, 43 feet to a point in said fence line marking the Westerly boundary of said A. L. Michael property; thence South 1 degree 45' East along said fence line, a distance of 98 feet to the point of beginning.

CODE 37 MAP 3811-V34BO TL 3400
CODE 37 MAP 3811-V34BO TL 3300

STATE OF OREGON: COUNTY OF KLAMATH: ss

Filed for record at request of Arren Title the 7th day
of August A.D. 19 98 at 3:25 o'clock P.M., and duly recorded in Vol. M98
of Deeds on Page 29093

FEE \$35.00

By Bertha G. Lisch, County Clerk