

STATUTORY SPECIAL WARRANTY DEED

EARL M. HARRIS, also known as EARL HARRIS, and PAULINE F. HARRIS, husband and wife, Grantors, convey and specially warrant to EARL M. HARRIS and PAULINE F. HARRIS, INITIAL TRUSTEE OF THE EARL AND PAULINE HARRIS TRUST DATED MAY 13, 1998, Grantee, the following described real property in Klamath County, Oregon, free of encumbrances created or suffered by the grantor except as specifically set forth herein:

See Attached Exhibit "A."

SUBJECT TO reservations, liens, and restrictions of record, easements and rights of way of record and those apparent on the land.

The true and actual consideration for this conveyance is \$1.00.

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

No change.

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.

Dated this 13th day of May, 1998

Earl M. Harris

Pauline F. Harris

STATE OF OREGON

}
} ss.
}

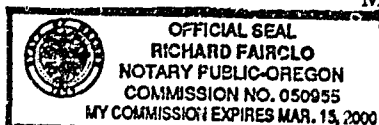
County of Klamath

The foregoing instrument was acknowledged before me this 13th day of May, 1998, by EARL M. HARRIS and PAULINE F. HARRIS, husband and wife.

Richard Faircloth

Notary Public for Oregon
My Commission expires:

RSF



Attorney at Law
280 Main Street

Klamath Falls OR 97601

EXHIBIT "A"

PARCEL 1:

The following described real property in Klamath County, Oregon:

ALL IN TOWNSHIP 34 SOUTH, RANGE 9, E.W.M., KLAMATH COUNTY, OREGON

In Section 21:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$

In Section 30:

SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 3

In Section 31:

The Tract of Land containing 14.087 acres in Section 31 which was conveyed to F. F. McCready and Nellie E. McCready, husband and wife, by Henry Wolff et al. by deed dated Sept. 20, 1949, and recorded December 7, 1949, in Vol. 235 at page 489 of Klamath County, Oregon Deed Records, more particularly described as follows:

From the quarter corner common to Sections 30 and 31, Twp. 34 S., R. 9 E.W.M., thence South along the center Section Line (said line being erroneously described as the Section Line in said deed) marked by an established fence, one quarter mile; thence, East along a fence 150 feet to the center of Sprague River, the Point of Beginning of this description; thence, downstream along the center line of Sprague River, S. 25°38' W. 495 feet; thence, S. 9°43' W. 394 feet; thence, S. 19°43' W. 139 feet; thence S. 68°50' W. 155 feet; thence, N. 45°16' W. 230 feet; thence, N. 23°50' W. 395 feet; thence, N. 24°08' W. 445 feet; thence, N. 39°39' W. 182 feet; thence, leaving the Sprague River and following an established line fence East 1110 feet to the said Point of Beginning in the center of Sprague River.

ALL of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, EXCEPT for the Tract of Land in said Section which was conveyed to Henry G. Wolff et ux. by Correction Deed dated March 26, 1952 and recorded March 27, 1952 in Vol. 253 at page 634 of Klamath County, Oregon Deed Records, which said EXCEPTED TRACT is also partially situated in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32 and is more particularly described as follows:

From the quarter corner common to Sections 30 and 31, Twp. 34 S.R. 9 E.W.M., thence South along the Center Section Line, marked by an established fence, one-quarter mile; thence, East along a fence 150 feet to the center of Sprague River, the Point of Beginning of this description; Thence, upstream along the center line of the Sprague River North 33°16' East 382.64 feet; thence, N. 46°28' E. 360 feet; thence, N. 45° E. 550 feet; thence, N. 82°34' E. 435 feet; thence, N. 60°15' E. 201.53 feet; thence, N. 30°26' E. 92.78 feet along the center line of the Sprague River to the North line of Indian Allotment No. 547; thence, along the North line of Indian Allotment No. 547 East 918 feet; thence, continuing up the Sprague River S. 28°44' E. 176.81 feet; thence, S. 21°40' E. 685.1 feet; thence, S. 9°07' W. 220 feet; thence, S. 25°29' W. 370 feet to a fence crossing the Sprague River; thence, along an established line of fence, West 2697 feet to the said Point of Beginning in the center of the Sprague River.

PARCEL 2: An undivided 1/2 interest in the following described real property:

ALL IN TOWNSHIP 34 SOUTH, RANGE 9, E.W.M., KLAMATH COUNTY, OREGON

In Section 17: S 1/2 SW 1/4 and NW 1/4 SW 1/4

In Section 18: E 1/2 SE 1/4 SE 1/4

In Section 19: E 1/2 NE 1/4 NE 1/4 and ALL of the SE 1/4 lying North of the Thread of Sprague River

In Section 20: NW 1/4 and N 1/2 SW 1/4 EXCEPTING THEREFROM: Those portions of the SE 1/4 SE 1/4 and S 1/2 S 1/2 N 1/2 SE 1/4 of Section 19 which lie North and East of the Thread of Sprague River; and the S 1/2 S 1/2 N 1/2 SW 1/4 of Section 20, All in Township 34 South, Range 9 E.W.M., Klamath County, Oregon.

PARCEL 3: The following-described real property in Klamath County, Oregon:

Fractional South half of Northwest quarter (Fr.S1/2NW1/2) Section 30, Township 34 South, Range 9 East W.M.

PARCEL 4: The East 1/2 of the Northeast 1/4 of Section 30, Township 34 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

PARCEL 5: The following-described real property in Klamath County, Oregon:

of Oregon, bounded and described as follows, to-wit: The Southwest Quarter of Southeast Quarter, West Half of Southeast Quarter of Southeast Quarter of Section Twenty One, The Northeast Quarter of Northeast Quarter of Section Twenty Eight and the West Half of the Southwest Quarter of Section Twenty Seven all in Township Thirty Four, South Range Nine East Willamette Meridian.

PARCEL 6: The following described real property in Klamath County, Oregon:

of Oregon, bounded and described as follows, to-wit: West Half of the West Half of the Southwest Quarter of Section Twenty Two, West Half of the Northwest Quarter of the Northwest Quarter, East Half of the Southwest Quarter of the Northwest Quarter, Section Twenty Seven, East Half of the Southeast Quarter of the Northeast Quarter of Section Twenty Eight and the Northwest Quarter of the Northwest Quarter of Section Thirty Four all in Township Thirty Four, South Range Nine East Willamette Meridian.

PARCEL 7: The following described real property in Klamath County, Oregon:

Township 34 S., Range 9 E.W.M:

Quarter of the Northeast Quarter of Section Twenty Eight and the Northwest Quarter of the Northwest Quarter of Section Thirty Four 11. Township Thirty Four, South Range 9 East Willamette Meridian

PARCEL 7: The following described real property in Klamath County, Oregon:
Township 34 S., Range 9 E.W.M:

Section 30, SE1/4SW1/4 and Lot 4;
Section 31, NE1/4NW1/4 and Lot 1.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Richard Fairclo the 16th day
of September A.D., 19 98 at 10:58 o'clock A. M., and duly recorded in Vol. M98
of Deeds on Page 33992
FEE \$40.00 By Bernetha G. Letsch, County Clerk
Kathleen Rose

66333

98 SEP 16 10:58

Vol. M98 Page 33995

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a Conditional Use)
Permit by: Hill for CARLSON) ORDER CUP 82-98

1. NATURE OF THE REQUEST

The applicant has applied to establish a template forest dwelling on 10.27 acres zoned Forestry. This request was heard by the hearings officer August 21, 1998. The request was reviewed for conformance with Klamath County Land Development Code.

2. NAMES OF PARTICIPANTS

The hearings officer reviewing this application is Joan-Marie Michelsen. The applicant appeared and offered testimony. The planning department was represented by Kim Lundahl. The recording secretary was Karen Burg.

3. LOCATION OF PROPERTY

NE CORNER OF Hwy 97N and Rainbow Park Dr, North of Chiloquin.
The access to the property is via an existing road and there is legal access.
Fire protection will be provided.
The land is presently semideveloped and is unused for any commercial uses.
Sewerage will be provided by a septic system.
The water will be provided by a well.

4. MATERIALS CONSIDERED

All evidence submitted by the applicant and located in the Staff Report was considered as was the oral testimony given August 21, 1998.

5. FINDINGS

The Hearings officer FINDS AS FOLLOWS:

- a. The development of this type of structure is not included in the permitted uses for this zoning, however the LDC permits residences subject to certain findings.
- b. The parcel in question was legally created.
- c. The parcel meets the "template" forest dwelling criteria, there are over 3 contiguous parcels and at least 3 residences encompassed within the 160 acre template which existed in 1993.
- d. Approval of the requested structure will not create conditions or circumstances that are contrary to the purposes or intent of county planning laws.
- e. Active resource use has not occurred on the subject property or the adjacent properties. The property is not large enough for legitimate forestry use, nor is it viable for commercial agriculture.
- f. Fire protection will be provided and the threat to spreading fire to resource productive properties is mitigated.
- g. The use of the land in the surrounding area is mixed rural residential primarily.
- h. The location of a residence on the parcel will not destabilize the existing land use pattern of the area.
- i. The proposed structure is located on land that is generally unsuitable for timber or agriculture considering the size of the parcel, the soil, and the present vegetation.
- j. There is no Goal 5 Overlay to the area.

- k. As condition to this approval, a written covenant will be recorded which recognizes the rights of adjacent and nearby land owners and operators to conduct farm and forest operations consistent with currently accepted farming practices and the Forest Practices Act of Oregon.
- l. There is no dwelling presently sited on this parcel.
- m. Road access is sufficient.
- n. This property is not under forest deferral and no stocking requirements need be met.

6. ORDER

Therefore, it is hereby ordered that the applicant's request to develop a template forest dwelling is approved subject to the following conditions:

- a. That approval is obtained for on-site sewage disposal and that the applicant provides proof of clearance from the Environmental Health Services Division and Building department within two (2) years following the date of this order, or obtain an extension of time, or this approval will be void.
- b. That the applicant files a restrictive covenant with the county clerk prohibiting the permit grantee and successors in interest from dividing the property or filing any complaint of any type or kind concerning the presently accepted resource management practices and farming uses that may occur on nearby lands devoted to commercial or other resource use.
- c. That the applicant complies fully with fire safety and other siting standards of the Land Use Code as set out in Article 69 of the LDC. And that the applicant provides a letter of agreement from a structural fire protection district stating that fire protection is provided.
- d. That the applicant not use Hwy 97 for any access directly to the property at any time without getting approval from the Oregon Department of Transportation first.

Dated this 13th day of September, 1998

Joan Marie Michelsen
Hearings Officer

NOTICE OF APPEAL RIGHTS

You are hereby notified this application may be appealed to the Klamath County Board of Commissioners by filing with the Klamath County Planning Department a Notice of Appeal as set out in Section 33.004 of the Klamath County Land Development Code together with the fee required within SEVEN DAYS (7) following the mailing date of this order.

ORDER - 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Hearings Officer the 16th day of September A.D., 19 98 at 10:58 o'clock A. M., and duly recorded in Vol. M98 of Deeds on Page 33995.

Return: Commissioners Journal

Bernetha G. Letsch, County Clerk

FEE No Fee

By Kathleen Ross

STATE OF ARIZONA

Certified Copy of Vital Record

STATE OF ARIZONA DEPARTMENT OF HEALTH SERVICES - OFFICE OF VITAL RECORDS CERTIFICATE OF DEATH

DEATH NO.
D 102-

AKA		ORIGINAL STATE COPY		NAME OF DECEASED A. FIRST: VAVENE B. MIDDLE: ELAINE C. LAST: GARRETT		SEX Female		DATE OF DEATH MONTH: February DAY: 13 YEAR: 1996	
RACE (If B., White, Black, American Indian, Specify tribe, etc.) White		WAS DECEASED OF HISPANIC ORIGIN? (SPECIFY YES OR NO) No		IF YES, INDICATE MEXICAN, SPANISH, PUERTO RICAN, CUBAN, ETC.		WAS DECEASED EVER IN U.S. ARMED FORCES? (SPECIFY YES OR NO) No		<input type="checkbox"/> DOA <input type="checkbox"/> OF EMER. <input type="checkbox"/> IN PATIENT	
PLACE OF DEATH A. COUNTY: Yuma		B. TOWN OR CITY: Yuma		C. HOSPITAL OR INSTITUTION 12183 East 38th Street		D. HOME (If residence, give street address) 12183 East 38th Street		<input type="checkbox"/> DOA <input type="checkbox"/> OF EMER. <input type="checkbox"/> IN PATIENT	
DATE OF BIRTH MONTH: February DAY: 9 YEAR: 1932		AGE (YEARS) LAST BIRTHDAY: 64		IF UNDER 1 YEAR: MO. DAYS		IF UNDER 1 DAY: HRS. MIN.		MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (SPECIFY) Married	
STATE AND CITY OF BIRTH Eugene, Oregon		CITIZEN OF WHAT COUNTRY? U.S.A.		SPECIFY SOCIAL SECURITY NO. 542 32 9465		USUAL OCCUPATION (Give kind of work done most of working life, given 3 returned) Homemaker		KIND OF BUSINESS OR INDUSTRY Own Home	
USUAL RESIDENCE A. STATE: Arizona		B. COUNTY: Yuma		C. TOWN OR CITY: Yuma		E. ZIP CODE 85367		HOW LONG IN ARIZONA? 14 Months	
STREET ADDRESS ONLY 12183 East 38th Street		INSIDE CITY LIMITS? (SPECIFY YES OR NO) No		ON RESERVATION (SPECIFY YES OR NO) No		PREVIOUS STATE OF RESIDENCE Oregon		ELEMENTARY-SECONDARY (1-12) 1	
FATHER'S NAME A. FIRST: DeWilton		B. MIDDLE: Simpson		C. LAST: Ruby		MOTHER'S M maiden name A. FIRST: Ruby		B. MIDDLE: Jones	
INFORMANT'S SIGNATURE <i>George Nicholas</i>		RELATIONS TO DECEASED Husband		ADDRESS 12183 E. 38th St., Yuma, Arizona 85367		CITY AND STATE		ZIP CODE	
21. BURIAL, CREMATION, REMOVAL, OTHER (Specify) February 19, 1996		22. CREMATION Sunset Vista Crematory		23. FUNERAL HOME Sunset Vista Funeral Home		24. STREET ADDRESS 11357 East 40th Street, Yuma, Arizona 85365		25. EMBALMER'S SIGNATURE NO EMBALMING	
26. TO THE BEST OF MY KNOWLEDGE, DEATH OCCURRED AT THE TIME, DATE, AND PLACE AND DUE TO THE CAUSE(S) STATED		27. SIGNATURE OF PHYSICIAN <i>S. Patel MD 2/14/96</i>		28. DATE SIGNED (Mo., Day, Year) 2-14-96		29. HOUR OF DEATH 1415		30. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or print) S. Patel MD 2008 West 4th Street, Yuma, Arizona 85364	
31. DATE REGISTERED 2/15/96		32. REG. FILE NO. 195		33. REGISTRAR'S SIGNATURE <i>Olivia Cat. Orosco</i>		34. REG. DISTRICT 1402		35. DATE RECD. IN STATE OFFICE 2/16/96	
36. REGULARLY LISTED CONDITIONS, IF ANY, LEADING TO IMMEDIATE CAUSE ENTER IMMEDIATE CAUSE THAT PREVIOUS EVENTS NEARLY IN DEATH LAST		37. A. IMMEDIATE CAUSE (FINAL DISEASE OR CONDITION RESULTING IN DEATH) (ENTER ONLY ONE CAUSE ON EACH LINE) CARDIO RESPIRATORY FAILURE		38. B. DUE TO OR AS A CONSEQUENCE OF metastatic Colon Cancer		39. C. DUE TO OR AS A CONSEQUENCE OF		40. APPROXIMATE INTERVAL BETWEEN ONSET AND DEATH 48hrs 6 months	
41. PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I		42. MANNER OF DEATH <input checked="" type="checkbox"/> NATURAL <input type="checkbox"/> HOMICIDE <input type="checkbox"/> ACCIDENT <input type="checkbox"/> SUICIDE <input type="checkbox"/> UNDETERMINED		43. DATE OF INJURY MO. DAY YR. HOUR 2/13/96 1415		44. INJURY AT WORK? (Specify Yes or No) No		45. DESCRIBE HOW INJURY OCCURRED	
46. PLACE OF INJURY (At home, farm, street, factory, office building, etc.) Home		47. WHERE LOCATED?		48. STREET ADDRESS		49. CITY OR TOWN		50. STATE	

This is a true and exact reproduction of the document officially registered and placed on file in the OFFICE OF VITAL RECORDS, DEPARTMENT OF HEALTH SERVICES, PHOENIX, ARIZONA issued under the authority of A.R.S. 36-341, and by direction of:

DATE ISSUED

FEB 16 1996

David Brooks
DAVID BROOKS, Director
County Registrar

This copy not valid unless prepared on engraved form displaying County seal and impressed with raised seal of issuing agency.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Gilbert Garrett the 16th day of September A.D., 19 98 at 10:58 o'clock A. M., and duly recorded in Vol. M98 of Deeds on Page 33997

FEE \$10.00
Return: Gilbert Garrett
20737Will Scarlet Lane By Kathleen Ross
Bend, Or. 97702