

72042

K-53383
AFFIANT'S DEED

Vol. 198 Page 47076

THIS INDENTURE Made this 15TH day of December, 1998, by and between ROLAND SMITH AND CLAYTON SMITH the affiant named in the duly filed affidavit concerning the small estate of ELLA MARIE SMITH and ROLAND SMITH AND CLAYTON SMITH, deceased, hereinafter called the first party, 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 LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF AS THOUGH FULLY SET FORTH HEREIN....

(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 \$ 0.

① However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which) the whole.

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Roland Smith AFFIANT
Clayton Smith Affiant

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

STATE OF OREGON, County of Klamath ss.

This instrument was acknowledged before me on December 04, 1998, by ROLAND SMITH AND CLAYTON SMITH

This instrument was acknowledged before me on _____, 19____,

by _____,

as _____,

of _____

Charles A. Oliver
Notary Public for Oregon

My commission expires 2/15/00

K-53383

Grantor's Name and Address

Grantee's Name and Address

After recording return to (Name, Address, Zip):

Scott D. MacArthur
280 Main St.
Klamath Falls, Oregon

Until requested otherwise send all tax statements to (Name, Address, Zip):

SPACE RESERVED
FOR
RECORDER'S USE

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/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.

By _____, Deputy

47077

EXHIBIT "A"
DESCRIPTION OF PROPERTY

PARCEL 1:

Lot 7 in Block 2 of PLEASANT VIEW TRACTS, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. EXCEPTING THEREFROM that portion conveyed to Klamath County for the widening of Gary Street by instrument recorded June 25, 1965 in Volume 362, page 460, Deed records of Klamath County, Oregon.

PARCEL 2:

Beginning at a point on the North line of the Dalles-California Highway, 813.4 feet Easterly from the intersection of said North line of the Dalles-California Highway and the Easterly line of the U.S.R.S. main canal right-of-way; thence N. 0°31' W. 410.3 feet to the true point of beginning; thence N. 0°31' W. 136.8 feet; thence S. 89°32' W. 100.0 feet; thence S. 0°31' E. 136.8 feet; thence N. 89°04' E. 100.0 feet to the point of beginning, being a portion of the SW ¼ of NW ¼ of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of First American Title the 24th day
of December A.D., 19 98 at 11:19 o'clock A. M., and duly recorded in Vol. 498
of Deeds on Page 47076.

FEE \$35.00

By Bernetha G. Letsch, County Clerk
Kathleen [Signature]