

72300

Vol. 1998 Page 47821

AFTER RECORDING RETURN TO:

98 DEC 30 P3:17

Gary M. St. Louis  
1606 S.E. Glenwood Street  
Portland, Oregon 97202

UNTIL A CHANGE IS REQUESTED ALL  
TAX STATEMENTS SHALL BE SENT TO:

=====

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE made this 29 day of December, 1998, by and between JAMES S. ZBINDEN the duly appointed, qualified and acting Personal Representative of the Estate of DORIS C. ZBINDEN, deceased, hereinafter called the first party, and JON A. ZBINDEN and TROBY L. KELLY, 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 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 law or otherwise may have thereafter acquired in that certain real property situate in the County of Jackson, State of Oregon, described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND  
INCORPORATED HEREIN BY THIS REFERENCE.

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

Subsequent to execution of this Deed, title shall be held as follows: JAMES S. ZBINDEN (50%), JON A. ZBINDEN (25%), and TROBY L. KELLY (25%). Ownership is by way of a tenancy in common.

The true and actual consideration paid for this transfer, stated in terms of dollars is NONE. This is a distribution from an estate.

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.

IN WITNESS WHEREOF, the said first party has executed this instrument.

The Estate of Doris C. Zbinden

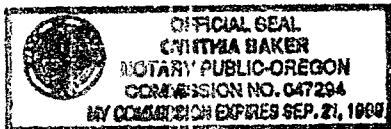
By: James S. Zbinden  
James S. Zbinden  
Personal Representative

STATE OF OREGON, County of Klamath ss. December 29, 1998

Personally appeared the above named JAMES S. ZBINDEN and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Cynthia Baker  
Notary Public for Oregon  
My Commission Expires: 9/21/1999



47822

## EXHIBIT "A"

The South 779.0 feet of Lot One (1) in Block Two (2) of  
PIERCE SUBDIVISION in Jackson County, Oregon, according to  
the official plat thereof, now of record;

Subject to: That part lying within public or dedicated  
roads; Right of way 50 feet in width, and rights in  
connection therewith, granted to the Medford Irrigation  
District, a municipal corporation, by instruments recorded  
in Volume 130, Page 132, and Volume 133, Page 210, of the  
Deed Records of Jackson County, Oregon; Rights of way for  
the transmission and distribution of electricity, and for  
other purposes, granted to the California Oregon Power  
Company, a California corporation, by instruments recorded  
in Volume 245, Page 302, Volume 246, Page 272, and Volume  
378, Page 94, of the Deed Records of Jackson County, Oregon;  
Overhang easement for the transmission and distribution of  
electricity, and for other purposes, granted to the  
California Oregon Power Company, a California corporation,  
by instrument recorded in Volume 408, Page 433, of the Deed  
Records of Jackson County, Oregon; The effect of said  
property, or any part thereof, lying within the Medford  
Irrigation District, and subject to all water and irrigation  
rights, easements for ditches and canals, and all  
regulations of said District.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Gary M. St. Louis the 30th day  
of December A.D., 19 98 at 3:17 o'clock P. M., and duly recorded in Vol. M98  
of Deeds on Page 47821.

FEE \$35.00

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