

## BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That Clover M. Falvey hereinafter called Grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Thomas H. Falvey, Trustee of the Clover M. Falvey Revocable Living Trust dated March 3, 1999, hereinafter called Grantee, and unto Grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

As shown on attached Exhibit A

To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is: ESTABLISHMENT OF TRUST.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

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 Grantor has executed this instrument this 3 day of March, 1999.

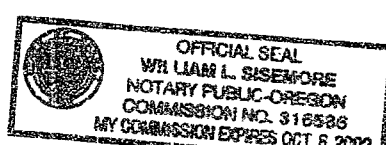
*Clover M. Falvey*

Clover M. Falvey

STATE OF OREGON )  
County of Klamath ) SS

This instrument was acknowledged before me on March 3, 1999, by Clover M. Falvey.

*William L. Sisemore*  
Notary Public for Oregon  
My Commission Expires: OCT 8, 2002



WILLIAM L. SISEMORE  
Attorney at Law  
110 N. 6th  
Klamath Falls, OR 97601

WILLIAM L. SISEMORE  
Attorney at Law  
540 Main Street  
KLAMATH FALLS, ORE.  
97601  
541/882-7229  
O.S.# 701336

Lots 6 and 7 and the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 11, Township 41 South, Range 10 East of the Willamette Meridian, EXCEPTING THEREFROM the following described tract:

Beginning at the corner common to Sections 2, 3, 10 and 11, Township 41 South, Range 10 East of the Willamette Meridian, in Klamath County, Oregon; thence East along the Section line, a distance of 753 feet; thence South 1345.5 feet, more or less, to the Northeastly right of way line of the Southern Pacific Railroad; thence Northwestly along the curve of said right of way line, the long chord of which bears North 32°24' West a distance of 1344.5 feet, more or less, to the end of said curve; thence North 20°18' West along said right of way line, a distance of 94 feet, more or less, to the West line of said Section 11; thence North along said section line, a distance of 122 feet, more or less, to the point of beginning; being a portion of Lot 7, and of the SW $\frac{1}{4}$  of Section 11, Township 41 South, Range 10 East of the Willamette Meridian.

SUBJECT TO: Contract and/or lien for irrigation and/or drainage; Easements and rights of way of record and those apparent on the land; Mortgage, including the terms and provisions thereof, dated April 18, 1962, recorded May 1, 1962, in Mortgage Book 210 at page 233, to The Federal Land Bank of Spokane, a Corporation, which said Mortgage grantees hereby expressly assume and agree to pay according to the tenor thereof as same becomes payable and the note accompanying it.

R-4110-011B0-01200-000  
R-4110-011B0-01108-000

The NE $\frac{1}{4}$  of Section 10, Township 41 South, Range 10 East of the Willamette Meridian, EXCEPT that portion heretofore deeded for rights-of-way and that portion of Lot 7, Section 11, Township 41 South, Range 10 E.W.M., described as follows:

Beginning at the corner common to Sections 2, 3, 10 and 11, Township 41 South, Range 10 East of the Willamette Meridian, in Klamath County, Oregon; thence East along the Section line, a distance of 753 feet; thence South 1345.5 feet, more or less, to the Northeastly right of way of the Southern Pacific Railroad; thence Northwestly along the curve of said right of way line, the long chord of which bears North 32°24' West a distance of 1344.5 feet, more or less, to the end of said curve; thence North 20°18' West along said right of way line, a distance of 94 feet, more or less, to the West line of said Section 11; thence North, along said Section line, a distance of 122 feet, more or less, to the point of beginning; being a portion of Lot 7, and of the SW $\frac{1}{4}$  of Section 11, Township 41 South, Range 10 East of the Willamette Meridian;

R-4110-01000-00100-000

STATE OF OREGON, County of Klamath,)

I certify that the within instrument was received for record on the 5th day of April, 1999, at 11:29 o'clock, A.M., and recorded in book/reel/volume No. M99 on page 12156 and/or as fee/file/instrument microfilm/reception No. 77472. Deed Records of said County.

WITNESS my hand and seal of County affixed.

Linda Smith, County Clerk  
Name Title

BY Kathleen Roper  
Deputy

Fee: \$35.00

After recording, return & send tax statements to:

Thomas H. Falvey, Trustee  
P.O. Box 512  
John Day, OR 97845