

1999 JUN 25 PM 3:25



Vol M99 Page 25317

WARRANTY DEED

ASPEN TITLE ESCROW NO. 01049447

AFTER RECORDING RETURN TO:
MATTHEW J. NELSON, TRUSTEE
THE INDY MARTIN LAND TRUST

P.O. Box 95
Malin, OR 97632

UNTIL A CHANGE IS REQUESTED ALL TAX
STATEMENTS TO THE FOLLOWING ADDRESS:
SAME AS ABOVE

MATTHEW J. NELSON, TRUSTEE OF THE ALAN DERBY LAND TRUST DATED
APRIL 30, 1999, hereinafter called GRANTOR(S), convey(s) and
warrants to ~~MATTHEW J. NELSON, TRUSTEE OF THE INDY MARTIN LAND~~
TRUST DATED MAY, 1999, hereinafter called GRANTEE(S), all that
real property situated in the County of Klamath, State of
Oregon, described as:

*MATTHEW J. NELSON, TRUSTEE *AC Recorder*

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" ATTACHED HERETO AND BY
THIS REFERENCE MADE A PART HEREOF AS THOUGH FULLY SET FORTH
HEREIN

WAW
SAW

"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 30.390."

and covenant(s) that grantor is the owner of the above described
property free of all encumbrances except covenants, conditions,
restrictions, reservations, rights, rights of way and easements
of record, if any, and apparent upon the land, contracts and/or
liens for irrigation and/or drainage AND See attached Exhibit
"B" attached hereto and by this reference made a part hereof as
though fully set forth herein, for continuation of this
paragraph

and will warrant and defend the same against all persons who may
lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is
equitable exchange.

In construing this deed and where the context so requires, the
singular includes the plural.

IN WITNESS WHEREOF, the grantor has executed this instrument
this 18th day of June, 1999.

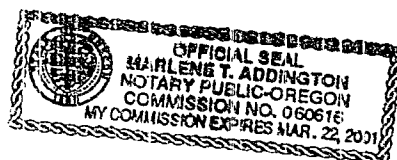
THE ALAN DERBY LAND TRUST DATED
APRIL 30, 1999

BY: *Matthew J. Nelson*
MATTHEW J. NELSON, TRUSTEE

STATE OF OREGON, County of Klamath ss.

The foregoing instrument was acknowledged before me this 21st
day of June, 1999, by Matthew J. Nelson as Trustee of The Alan
Derby Land Trust Dated April 30, 1999.

Before me: *Marlene T. Addington*
Notary Public for Oregon
My Commission Expires: 3-22-01



65

EXHIBIT "A" - 4

PARCEL 1:

The Westerly 120 feet of Tract 1, INDEPENDENCE TRACTS, in the County of Klamath, State of Oregon. LESS AND EXCEPT the Easterly 4 feet of the Westerly 120 feet of Tract 1, INDEPENDENCE TRACTS.

CODE 41 MAP 3909-11AA TL 3100

PARCEL 2:

The Westerly one-half of Lot 3, Block 30, HILLSIDE ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-29DA TL 9000

PARCEL 3:

Lot 1, Block 4, SIXTH STREET ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3909-4AA TL 3700

PARCEL 4:

Tract 20, INDEPENDENCE TRACTS, in the County of Klamath, State of Oregon. EXCEPTING THEREFROM the East 100 feet thereof.

CODE 41 MAP 3909-11AA TL 1000

PARCEL 5:

All of Lot 7 and the Southerly 50 feet of the West 2 feet of Lot 6, Block 22, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-33BA TL 2400

PARCEL 6:

All of Lots 24, 25 and the Southeast one-half of Lot 26, Block 21, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon. TOGETHER WITH an interest a certain community driveway and garage as shown in Book 104 at Page 190, Deed Records of Klamath County, Oregon.

CODE 1 MAP 3809-33AB TL 8000

PARCEL 7:

Beginning at the most Westerly corner of Lot 23, Block 21 of INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, in the County of Klamath, State of Oregon; thence Northeasterly at right angles to Martin Street, 100 feet to Division Street; thence Southeasterly along the Southwesterly line of Division Street, 27 feet 2 inches; thence Southwesterly at right angles to Martin Street 50 feet; thence Southeasterly parallel with Martin Street, 10 feet 4 inches; thence Southwesterly at right angles to Martin Street, 50 feet to Martin Street; thence Northwesterly along the Northeasterly line of Martin Street, 37 1/2 feet to the place of beginning, being a part of Lots 22 and 23 of said block and addition, as shown on the duly recorded plat thereof on file in the office of the Clerk of Klamath County, Oregon.

CODE 1 MAP 3809-33AB TL 8100

PARCEL 8:

The Northwesterly one-half of Lot 19 and all of Lot 20, Block 21, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-33AB TL 8400

PARCEL 9:

Lot 18 and the Southeasterly one-half of Lot 19, Block 21, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, OREGON, said property being a rectangular piece of land 37 1/2 feet wide and 100 feet long, facing 37 1/2 feet on both Martin and Division Streets, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-33AB TL 8500

PARCEL 10:

All of Lot 42 and the most Northwesterly 12 1/2 feet of Lot 43, Block 18, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-33AB TL 12800

PARCEL 11:

Lot 12, Block 21, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-33AB TL 9200

PARCEL 12:

Lot 11, Block 21, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-33AB TL 9300

PARCEL 13:

Lot 50 and the Westerly one-half of Lot 51, Block 18, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-33AB TL 12200

PARCEL 14:

All that portion of Lots 5 and 6, Block 21, INDUSTRIAL ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the most Southerly corner of Lot 5 in said Block 21; thence Northwesterly along the Northeasterly line of Martin Street, a distance of 50 feet to the most Westerly corner of Lot 6 in said Block 21; thence Northeasterly along the line between Lots 6 and 7 in said Block a distance of 50 feet; thence Southeasterly parallel with Martin Street, a distance of 50 feet; thence Southwesterly along the line between Lots 5 and 4 in said Block a distance of 50 feet to the point of beginning.

CODE 1 MAP 3809-33AB TL 9800

PARCEL 15:

The Northerly 40 feet of Lots 394 and 395, Block 113, MILLS ADDITION TO THE CITY OF KLAMATH FALLS, in the County of Klamath, State of Oregon.

CODE 1 MAP 3809-33AC TL 7300



EXHIBIT "B" - 4

The Grantor(s) herein is conveying to Grantee herein all that real property described in Exhibit "A" of this Deed subject to those items as mentioned on Page One of the Deed as well as:

Any and all delinquent real property taxes and all accruing interest thereon AND

Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any:

Grantor: Bruce E. Brink, a married man
 Trustee: Aspen Title and Escrow
 Beneficiary: Mortgage Market Inc., a Oregon Corporation
 Dated: May 14, 1997
 Recorded: May 30, 1997
 Book: M-97
 Page: 16465
 Fee No.: 38415
 Amount: \$44,100.00
 Loan No.: X111

Trust Deed, including the terms and provisions thereof,

Amount: \$13,000.00
 Dated: July 23, 1998
 Recorded: August 6, 1998
 Book: M-98
 Page: 28935
 Recorder's Fee No.: 64070
 Grantor: Bruce E. Brink and Helen G. Wolter
 Trustee: Aspen Title & Escrow, Inc.
 Beneficiary: Vernon G. Ludwig and Ofelia Ludwig, with full rights of survivorship

Trust Deed, including the terms and provisions thereof,

Amount: \$16,200.00
 Dated: August 17, 1982
 Recorded: August 17, 1982
 Book: M-82
 Page: 10695
 Grantor: Michele S. Irving and Michael T. Shepherd, not as tenants in common, but with the right of survivorship
 Trustee: Transamerica Title Insurance Company
 Beneficiary: William C. Paugstat and Marjorie R. Paugstat, husband and wife, with the right of survivorship

The beneficial interest was assigned by instrument, including the terms and provisions thereof,

Dated: July 12, 1990
 Recorded: July 27, 1990
 Book: M-90
 Page: 15048
 Recorder's Fee No.: 18177
 To: William C. Paugstat and Marjorie R. Paugstat, Trustees, or their successors in Trust, under the Paugstat Loving Trust dated July 12, 1990 and any amendments thereto

Trust Deed, including the terms and provisions thereof,

Amount: \$33,000.00
 Dated: June 3, 1999
 Recorded: June 10, 1999
 Book: M-99
 Page: 23022
 Grantor: Bruce E. Brink



25322

Trustee :Aspen Title & Escrow, Inc.
Beneficiary :Eldorado Bank dba Commerce Security Bank,
its successors and/or assigns
Loan No. :0007104383

Trust Deed, including the terms and provisions thereof to
secure the amount noted below and other amounts secured
thereunder, if any:

Grantor: Charlene A. Skellham and Robert W. Skellham, as
tenants by the entirety
Trustee: Mountain Title Company
Beneficiary: Western Bank
Dated: November 22, 1993
Recorded: November 26, 1993
Book: M-93
Page: 31313
Fee No.: 71880
Amount: \$12,500.00

All Inclusive Trust Deed, including the terms and provisions
thereof to secure the amount noted below and other amounts
secured thereunder, if any:

Grantor: Bruce E. Brink and Helen G. Wolter, with rights of
survivorship
Trustee: Aspen Title & Escrow, Inc.
Beneficiary: Charlene A. Skellham
Dated: February 7, 1997
Recorded: February 28, 1997
Book: M-97
Page: 6112
Fee No.: 33660
Amount: \$22,000.00

Said instrument was re-recorded:

Date: July 18, 1997
Book: M-97
Page: 22765
Fee No.: 41293

Trust Deed, including the terms and provisions thereof to
secure the amount noted below and other amounts secured
thereunder, if any:

Grantor: Bruce E. Brink and Helen G. Wolter, not as tenants
in common, but with rights of survivorship
Trustee: Aspen Title & Escrow, Inc.
Beneficiary: Vernon G. Ludwig and Ofelia Ludwig, husband and wife
with full rights of survivorship
Dated: January 5, 1996
Recorded: January 9, 1996
Book: M-96
Page: 694
Fee No.: 11665
Amount: \$50,000.00

Said instrument was re-recorded:

Date: February 12, 1996
Book: M-96
Page: 3973
Fee No.: 13245

Trust Deed, including the terms and provisions thereof to
secure the amount noted below and other amounts secured
thereunder, if any:

Grantor: Bruce E. Brink and Helen G. Wolter
Trustee: Aspen Title & Escrow, Inc.
Beneficiary: Troy E. Niemeyer and Delores L. Niemeyer, or the
survivor
Dated: April 11, 1997

Recorded: April 15, 1997
Book: M-97
Page: 11263
Fee No.: 36065
Amount: \$19,000.00

Trust Deed, including the terms and provisions thereof,
Amount: \$11,000.00

Dated: March 24, 1999
Recorded: March 24, 1999
Book: M-99
Page: 10391

Recorder's Fee No.: 76854

Grantor: Bruce E. Brink and Helen Wolter

Trustee: Aspen Title & Escrow, Inc., an Oregon Corporation

Beneficiary: Wade Lund and Juli DeMorsella, or the survivor

Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any:

Grantor: Helen Wolter and Bruce E. Brink, mother and son
Trustee: Aspen Title & Escrow, Inc.

Beneficiary: Marion Ross Curtis and Elizabeth Curtis and Iren Gerendy, trustees of the Iren Gerendy Trust

Dated: January 25, 1994
Recorded: January 28, 1994

Book: M-94
Page: 3091
Fee No.: 75196

Amount: \$19,000.00

The beneficial interest thereunder was assigned:
To: Marion Ross Curtis or Elizabeth Curtis, Trustees of the Curtis Family Trust dated June 6, 1988

Recorded: September 16, 1997

Book: M-97
Page: 30371
Fee No.: 45333

Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any:

Grantor: Bruce E. Brink, a married man
Trustee: Aspen Title and Escrow
Beneficiary: Mortgage Market Inc., a Oregon Corporation

Dated: May 14, 1997
Recorded: May 28, 1997

Book: M-97
Page: 16243
Fee No.: 38307
Amount: \$22,000.00

Loan No.: X111

The beneficial interest was assigned by instrument, including the terms and provisions thereof,

Dated: May 27, 1997
Recorded: November 5, 1998

Book: M-98
Page: 40579

Recorder's Fee No.: 69206

To: The Bank of New York Trustee under the Pooling and Servicing Agreement Series 1997A at 101 Barclay Street, New York, NY 10286 Corp. Trust - MBS

Trust Deed, including the terms and provisions thereof to



secure the amount noted below and other amounts secured thereunder, if any:

Grantor: Bruce E. Brink, a married man
 Trustee: Aspen Title and Escrow
 Beneficiary: Mortgage Market Inc., a Oregon Corporation
 Dated: May 14, 1997
 Recorded: May 28, 1997
 Book: M-97
 Page: 16251
 Fee No.: 38308
 Amount: \$27,700.00
 Loan No.: X107

Trust Deed, including the terms and provisions thereof to secure the amount noted below and other amounts secured thereunder, if any:

Grantor: Bruce E. Brink and Leela Benjamin, husband and wife
 Trustee: William L. Sisemore
 Beneficiary: Klamath First Federal Savings and Loan Association
 Dated: December 21, 1989

Recorded: December 22, 1989
 Book: M-89
 Page: 24706
 Fee No.: 9368
 Amount: \$22,500.00
 Loan No.: 090-21-00266

State of Oregon, County of Klamath
 Recorded 6/25/99, at 3:25 p. m.
 In Vol. M99 Page 25317
 Linda Smith,
 County Clerk Fee \$ 65 KR