

AFFIANT'S DEED

THIS INDENTURE made this 18 day of October, 2000, by and between MICHAEL JAMES FITZGERALD, the affiant named in the duly filed affidavit concerning the small estate of TERESA KAY DERBY-FITZGERALD, deceased, hereinafter called the first party, and TREEVA McCABE, as to an undivided 1/2 interest, and TREEVA McCABE, TRUSTEE OF THE TERESA KAY DERBY-FITZGERALD TESTAMENTARY TRUST, as to an undivided 1/2 interest, 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, successor-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:

Lot 2, Block 8, STEWART ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the Office of the County, Clerk, Klamath County, Oregon. Tax Lot R-3909-007CB-03400-000.

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 according to the will of Teresa Kay Derby-Fitzgerald.

Send Tax Statements to: Treeva McCabe, 3322 Raymond Street, Klamath Falls, OR 97601.

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 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.

[Signature]

STATE OF OREGON]
County of Klamath] ss.

The foregoing instrument was acknowledged before me this 18 day of October, 2000, by MICHAEL JAMES FITZGERALD.

[Signature]
Notary Public for Oregon
My Commission expires:

State of Oregon, County of Klamath
Recorded 10/18/00, at 11:49 a.m.
In Vol. M00 Page 38005
Linda Smith,
County Clerk Fee \$ 21.00

cc Richard Fairclo
Attorney at Law
280 Main Street
Klamath Falls OR 97601

