

Vol MQ1 Page 40052

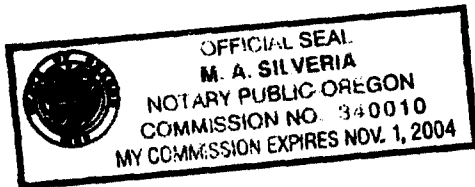
OFFICIAL SEAL
MICHELLE I. HORTON-TIDWELL
NOTARY PUBLIC-OREGON
COMMISSION NO. 319020
MY COMMISSION EXPIRES DEC. 20, 2002

NOTARY ACKNOWLEDGEMENT

40053

STATE OF OREGON, County of KLAMATH) ss.

On 8-7-, 2001 personally appeared Shirley Horton, who
acknowledged the foregoing instrument to be her voluntary act and deed.



Before me: M. A. Silveria
Notary Public for Oregon
My commission expires: 11-01-04
Official Seal

WARRANTY DEED

ASPEN 53349

'01 AUG 9 AM 11:07

40053-A

AFFIDAVIT OF HEIRSHIP AND INDEMNITY

STATE OF OREGON)

) ss.

County of Klamath)

I, Martin D. Alter, Personal Representative as named in the Last Will and Testament of Wayne Horton, being first duly sworn, depose and say that:

- 1) Decedent died in Klamath County, State of Oregon, on January 8, 1999, and that at the time of death may have had an interest in real property located in Klamath County, Oregon, described as follows:

The S 1/2 of lot 62, FAIR ACRES SUBDIVISION NO.1, in the County of Klamath, State of Oregon, EXCEPTING THEREFROM the East 5 feet thereof, conveyed to Klamath County for the widening of Homedale, recorded December 5, 1963 in Book 349 at page 511., ALSO EXCEPTING THEREFROM the Northerly 10 feet of the S 1/2 of Lot 62, FAIR ACRES SUBDIVISION NO.1

- 2) Decedent left a will of which a copy is attached hereto and the estate is not being probated. OR

~~3~~ Decedent did not leave a will.

(mark out number 2 or 3 above, whichever does NOT apply)

- 4) The next of kin and heirs at law of decedent, with the relationship to decedent, approximate age and current address of each are:

Shirley Horton

Candee Morris

Michael Horton

There are no children of deceased children which survived the decedent.

- 5) There is no debt of decedent or claim against decedent which is or will become a claim against the estate of decedent.

- 6) This Affidavit is for the purpose of inducing Aspen Title & Escrow, Inc. to allow next of kin, heirs, And/or devisee(s) of decedent to clear the aforementioned real property of the interest of decedent without the necessity of probate of decedent's estate.

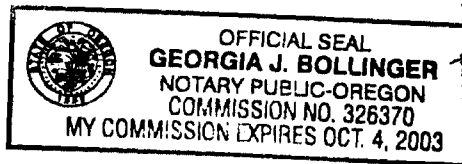
DATED this 6th day of August, 2001.

Martin D. Alter
(signature of Affiant)

STATE OF OREGON, County of KLAMATH)ss.

This instrument was acknowledged before me on the 6th day of August, 2001, by Martin D. Alter

Before me:



Georgia J. Bollinger
Notary Public for OREGON
My Commission Expires: 10-4-03

AFTER RECORDING RETURN TO:
Shirley Horton
1410 Homedale Rd.
Klamath Falls, OR. 97601

A235-10
R235-04

LAST WILL AND TESTAMENT

BE IT KNOWN, that I, Wayne Norman Horton of Klamath Falls, County of Klamath, in the State of Oregon being of sound mind, do make and declare this to be my Last Will and Testament expressly revoking all my prior Wills and Codicils at any time made.

I. PERSONAL REPRESENTATIVE:

I appoint Martin D. Alter of Klamath Falls, Oregon, as Personal Representative of this my Last Will and Testament and provide if this Personal Representative is unable or unwilling to serve then I appoint Donald W. Norton of Brookings Oregon, as alternate Personal Representative. My Personal Representative shall be authorized to carry out all provisions of this Will and pay my just debts, obligations and funeral expenses. I further provide my Personal Representative shall not be required to post surety bond in this or any other jurisdiction, and direct that no expert appraisal be made of my estate unless required by law.

II. GUARDIAN:

In the event I shall die as the sole parent of minor children, then I appoint _____, as Guardian of said minor children. If this named Guardian is unable or unwilling to serve, then I appoint _____ as alternate Guardian.

III. BEQUESTS:

I direct that after payment of all my just debts, my property be bequeathed in the manner following:
To my wife Shirley Y Horton of
1410 Hamdale
Klamath Falls Ore 97603

[Signature]
Testator Initials



Execute and attest before a notary. Caution: Louisiana residents should consult an attorney before preparing a will. (Rev. 6/98)

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40053-C

IN WITNESS WHEREOF, I have hereunto set my hand this 31 day of December, 1998
(year), to this my Last Will and Testament.

Wayne Norman Horton
Testator Signature

IV. WITNESSED:

The testator has signed this will at the end and on each other separate page, and has declared or signified in our presence that it is his/her last will and testament, and in the presence of the testator and each other we have hereunto subscribed our names this 31 day of December, 1998 (year).

Candee Morris
Witness Signature

12817 Hwy 66 K Falls 97603
Address

Leslie Garrett
Witness Signature

11440 Hill Rd. K Falls 97603
Address

William S Beckman
Witness Signature

2029 PARK - KF, ORE * 97601
Address

State of Oregon
County of Klamath

We, Wayne Horton, Candee Morris,
Leslie Garrett, and William Beckman,
the testator and the witnesses, respectively, whose names are signed to the attached and foregoing instrument, were sworn and declared to the undersigned that the testator signed the instrument as his/her Last Will and that each of the witnesses, in the presence of the testator and each other, signed the will as a witness.

Testator: Wayne Horton

Witness Candee Morris

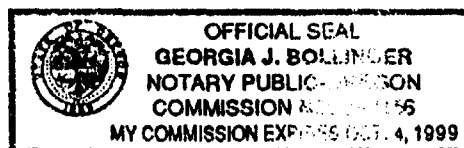
Witness Leslie Garrett

Witness William Beckman

On December 31, 1998 before me,
appeared Wayne Norman Horton
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.

Signature Georgia J. Bollinger
Signature of Notary

Affiant X Known X Produced ID
Type of ID SS #
(Seal)



State of Oregon, County of Klamath
Recorded 08/09/01 at 11:08a m.
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Linda Smith,
County Clerk Fee \$ 41.00