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After Recording Return to: NICOLE L. MCLIN and WOODROW J. MCLIN 1413 HOMEDALE **KLAMATH FALLS, OREGON 97603** 

40052 Vol\_MQ1 Page

Until a change is requested all tax statements Shall be sent to the following address: NICOLE L. MCLIN and WOODROW J. MCLIN 1413 HOMEDALE **KLAMATH FALLS, OREGON 97603** 

## WARRANTY DEED

(INDIVIDUAL)

DON HORTON and SHIRLEY HORTON, HEIR TO THE ESTATE OF WAYNE HORTON, herein called grantor, convey(s) to NICOLE L. MCLIN and WOODROW J. MCLIN all that real property situated in the County of KLAMATH, State of Oregon, described as:

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.

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 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 \$63,000.00. (here comply with the requirements of ORS 93.930)

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.

	DON HORTON
	Shirley & Horton
STATE OF OREGON, County of Curr	y) ss
On August 5, 2001 personally ap foregoing instrument to be his voluntary act and	peared the above named DON HORTON and acknowledged the
STATE OF OREGON, County of Klam	alf ss.
On <u>\$7-7-01</u> personally ap the foregoing instrument to be HER voluntary ac	peared the above named SHIRLEYY HORTON and acknowledged at and deed.
This document is filed at the request of:	Before me: Michelle Worth - Telliell Notary Public for Oregon
TITLE & ESCROW, INC.	My commission expires: $7/20/02$
525 Main Street Klamath Falls, OR 97601 Order No.: 00053349	Official Seal  OFFICIAL SEAL  MICHELLE I. HORTON-TIDWELL (I)  NOTARY PUBLIC-OREGON (I)  COMMISSION NO. 319020 (I)  MY COMMISSION EXPIRES DEC. 20, 2002 (I)

SWS Vision Form SDD03OR Rev. 01/23/97

Dated JULY 31, 2001.

### NOTARY ACKNOWLEDGEMENT

STATE OF OREGON, County of KLAN	MATH) ss.	
On S-7—, 2001 pers acknowledged the foregoing instrument t	conally appeared Shirley Horton to be Hee voluntary act and deed.	, who
OFFICIAL SEAL. M. A. SILVERIA NOTARY PUBLIC OREGON COMMISSION NO. 340010 MY COMMISSION EXPIRES NOV. 1, 2004	Before me: Allieuce Notary Public for Oregon My commission expires: 11-3(-0 L) Official Seal	
	WARRANTY DEED	

#### **ASPEN 53349**

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#### AFFIDAVIT OF HEIRSHIP AND INDEMNITY

411153-A

STATE OF OREGON County of Klamath

I, Martin D. Alter, Personal Representative as named in the Last Will and Tostament 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, convoyed 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

Decedent left a will of which a copy is attached hereto and the estate is not being probated. OR 25 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 enate of decedent.
- 6) This Affidavit is for the purpose of inducing Aspen Title & Escrow, Inc. to allow next of kin, heim, 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.

day of August DATED dis (signature of Affiant)

STATE OF OREGON, County of KLAMATH)ss.

This instrument was acknowledged before me on the day of August, 2001, by

OFFICIAL SEAL GEORGIA J. BOLLINGER NOTARY PUBLIC-OREGON COMMISSION NO. 326370 MY COMMISSION EXPIRES OCT. 4, 2003

ly Commission Expires:

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

A235-10 R235-04

# LAST WILL AND TESTAMENT

BEIT KNOWN, that I, Wayne Morman Horton of
KLamath Falls , County of Klamath.
in the State of
i. PERSONAL REPRESENTATIVE:
I appoint Marin D. Alter of Klawath Fulls, 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 Windows of Norton of Dinokings (Circum, 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 14/0 Homedale Klamath falls Ove 97603

Testator Initials



Execute and attest before a notary. Caution: Louisiana residents should consult an attorney before preparing a will. (Rev. 698)

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40053-C

Signature April 1 WITNESSED: IV. 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 day of Docember, 1998 (year). 12817 Hwy Glo KiFalls 916 Address andle Morris 11440 Hill Rd. K.Falls 97603 Kenotr silver 2019 PARK - KF, DOLE \$ 47601 State of Oregon
County of Klamath
We, Wayne Horton and william Beckinans Leslie Garrett 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: Witness Available Testator: On December 31, 1998 before me, appeared Wayne Worman 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 Signature of Notary Affiant X Known X Produced ID Type of ID SS # OFFICIAL SEAL GEORGIA J. BOLLINGER NOTARY PUBLIC- ASSOCIATION COMMISSION & 55 MY COMMISSION EXPINES (907. 4, 1999

IN WITNESS WHEREOF, I have hereunto set my hand this 3 1 day of Do com low , 1998

(year), to this my Last Will and Testament.