

After recording return to:
WESTERN TITLE & ESCROW COMPANY
1345 NW WALL STREET, STE 200
BEND, OR 97701

State of Oregon, County of Klamath
Recorded 10/16/03 2:51 P m
Vol M03 Pg 77226-27
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

Until a change is requested all tax statements shall be sent to the following address:

GILLIAN M. SMITH.
PO Box 532
TILLAMOOK, OR 97141

ATE 58074

WARRANTY DEED -- STATUTORY FORM

TOM W. DAIN and DARLENE K. DAIN, husband and wife, Grantor, conveys and warrants to GILLIAN M. SMITH, Grantee, the following described real property, free of encumbrances except as specifically set forth herein, to wit:
SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

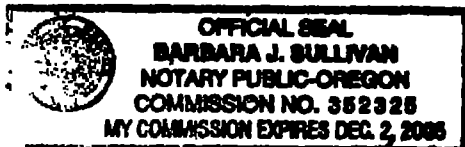
Tax Account No(s): R144490 R845296
Map/Tax Lot No(s): 2406 001CA 1200 2406 001CA 1400

This property is free from encumbrances, EXCEPT: All those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable.

The true consideration for this conveyance is \$ 157,000.00.

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.

Dated this 15 day of October, 2003.



Tom W. Dain
TOM W. DAIN
Darlene K. Dain
DARLENE K. DAIN

STATE OF OREGON, COUNTY OF DESCHUTES) SS.

This instrument was acknowledged before me on October 15, 2003 by TOM W. DAIN AND DARLENE K. DAIN.

Barbara J. Sullivan
(Notary Public for Oregon)
My commission expires 12-2-2005

TITLE NO. 10-0414903
ESCROW NO. 10-0414903

*Exhibit A***PARCEL 1:**

A parcel of land situate in the NE 1/4 SW 1/4 of Section 1, Township 24 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point along the Southeast line of a 20 foot roadway, a 1 3/4" x 48" galvanized steel pipe, from which the Southwest corner of said Section 1 lies South 1710.4 feet and West 1874.0 feet; thence along the Southeasterly line of said roadway, North 52° 23' East 139.2 feet to a point, a 3/4" steel rod; thence South 50° 15' East 138.1 feet to a point in the center of Crescent Creek as located in 1956; thence up the center of said Creek, South 43° 57' West 115.6 feet to a point; thence along a line as agreed upon by Pietila and Scribner in April 1980, North 57° 32 1/2' West, passing a 1 3/4" x 48" galvanized steel pipe at 36.0 feet on the Northwesterly scour bank of Crescent Creek, in all 161.3 feet to the point of beginning.

PARCEL 2:

Beginning at an iron pipe on the Southerly line of a 20 foot roadway, North 1795.5 feet and East 1984.2 feet from the Southwest corner of Section 1, Township 24 South, Range 6 East of the Willamette Meridian; thence North 52° 23' East, 64.2 feet; thence North 65° 03' East, along said Southerly line, 77.8 feet to an iron pipe; thence South 44° 55' East, 92.2 feet to the center of Crescent Creek; thence South 40° 13 1/2' West, up the center of said Creek, 124.46 feet; thence North 50° 15' West, 138.1 feet to the point of beginning, Klamath County, Oregon.

PARCEL 3:

Beginning at a point on the Easterly right of way line of the County road, opposite to and 30 feet distant at right angles from centerline Station 50+63.2, Back, P.T., said point being also North 1799.6 feet and East 1854.5 feet from the Southwest corner of Section 1, Township 24 South, Range 6 East of the Willamette Meridian; thence North 27° 15' East, along said Easterly line, 106 feet to the center of Cold Creek; thence down the center of said Creek, South 82° 12' East, 76.2 feet and North 71° 44' East 88 feet; thence South 44° 55' East, 40.3 feet to the Northerly line of a 20 foot roadway; thence along said Northerly line, South 65° 03' West, 72.8 feet; South 52° 23' West 208.23 feet, and North 59° 23' West, 42.0 feet to the said Easterly line; thence Northeasterly, along said Easterly line on the arc of a 625.9 foot radius curve left (the long chord of which curve bears North 30° 06' East, 61.82 feet) a distance of 61.85 feet to the point of beginning, Klamath County, Oregon.

PARCEL 4:

Beginning at an angle point in a 20 foot roadway, North 1713.8 feet and East 1878.2 feet from the Southwest corner of Section 1, Township 24 South, Range 6 East of the Willamette Meridian; thence South 52° 08 1/2' East 158.2 feet to the center of Crescent Creek; thence Northwest along a straight line to a point that is South 52° 23' West 21.5 feet from the point of beginning; thence North 52° 23' East 21.5 feet to the point of beginning, Klamath County, Oregon.

LESS AND EXCEPT that portion described in Deed from John A. Pietila and Ellen S. Pietila to Wayne C. Carver, recorded August 21, 1972 in Book M-72 at Page 9335.

ALSO EXCEPTING THEREFROM that portion described in Deed from Tim Delaney and May Delaney to Wayne C. Carver and Lillian Carver, recorded September 4, 1968 in Book M-68 at Page 7981.