

04 JUN 14 PM 3:20

Vol M04 Page 38034

After Recording Return to:  
JAMES A. WINTER and KUM HUI WINTER  
11753 MOUNTAIN VIEW RD  
TRACY CA 95376

State of Oregon, County of Klamath  
Recorded 06/14/2004 3:20 p m  
Vol M04 Pg 38034-35  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

Until a change is requested all tax statements  
Shall be sent to the address shown above.

*Aspen 59094MA*  
**WARRANTY DEED**  
(INDIVIDUAL)

DIANE ELAINE STEVENSON, TRUSTEE OF THE D. E. MYERS 1999 TRUST, herein called Grantor, convey(s) to JAMES A. WINTER and KUM HUI WINTER, husband and wife, herein called Grantees, all that real property situated in the County of KLAMATH, State of Oregon, described as:

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

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, two Trust Deeds, including the terms and provisions thereof, recorded July 20, 2001 in Book M-01 at , Pages 35642 and 35702, respectively, in favor of Klamath First Federal Savings and Loan Association and subsequently assigned to Principal Residential Mortgage, Inc. which Trust Deeds the Grantees herein do not agree to assume and pay and Grantor hereby holds Grantee harmless therefrom. Grantor hereby states that these Trust Deeds will be paid in full prior to, or at the time of, payoff of the All-inclusive Trust Deed from Grantee in favor of Grantor, which is being recorded immediately subsequent to the recording of this Deed.

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 \$250,000.00, as paid by an Accommodator pursuant to an IRC 1031 Deferred Exchange by the Grantees named above.  
(here comply with the requirements of ORS 93.930)

*Jim*  
*Don*  
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 June 8, 2004.

D. E. MYERS 1999 TRUST

*Diane Elaine Stevenson Trustee*  
DIANE ELAINE STEVENSON, TRUSTEE/INDIVIDUAL

STATE OF OREGON, County of Klamath) ss.

On June 14, 2004, personally appeared the above named Diane Elaine Stevenson as Trustee of THE D. E. MYERS 1999 TRUST .

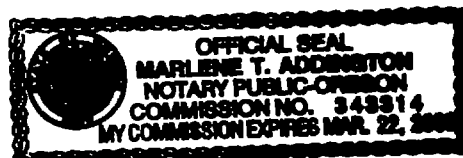
This document is filed at the request of:



525 Main Street  
Klamath Falls, OR 97601  
Order No.: 00059094

Before me: *Marlene T. Addington*  
Notary Public for Oregon  
My commission expires: March 22, 2005

Official Seal



**PARCEL 1:**

**A tract of land situated in Tracts 1 and 2A, "HOMEDALE" Subdivision, in Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:**

**Beginning at a point on the Northerly line of said Tract 2A and being North 66° 39' 30" West a distance of 74.72 feet from the Northeast corner of said Tract 2A; thence North 66° 39' 30" West along the Northerly line of Tracts 2A and 1, a distance of 68.24 feet; thence South 24° 38' 57" West a distance of 94.71 feet; thence South 65° 21' 03" East a distance of 68.20 feet; thence North 24° 38' 57" East a distance of 95.71 feet to the point of beginning.**

**TOGETHER WITH an easement situated in Tracts 1 and 2A "HOMEDALE" Subdivision situated in the NW 1/4 NE 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:**

**Beginning at a point on the Northerly line of said Tract 2A and being North 66° 39' 30" West 74.72 feet from the Northeast corner of said Tract 2A; thence North 66° 39' 30" West along the Northerly line of Tracts 2A and 1, 68.24 feet; thence South 24° 38' 57" West 94.71 feet; thence South 65° 21' 03" East 68.20 feet to the true point of beginning of the description; thence North 24° 39' 45" East 15.00 feet; thence North 66° 26' 40" West 157.19 feet; thence South 24° 38' 57" West 30.00 feet; thence South 66° 14' 56" East 191.41 feet; thence North 24° 44' 08" East 3.81 feet; thence South 56° 21' 03" East 89.87 feet to a point on the West right of way line of Homedale Road; thence along said right of way line North 00° 18' 43" East 26.93 feet; thence North 72° 05' 12" West 113.79 feet to the point of beginning.**

**PARCEL 2:**

**A tract of land situated in Tract 1 "HOMEDALE" Subdivision in Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:**

**Beginning at a point on the Northerly line of said Tract 1, said point being North 66° 39' 30" West a distance of 64.76 feet from the Northeast corner of said Tract 1 the said point also being North 66° 39' 30" West a distance of 142.96 feet from the Northeast corner of Tract 2A "HOMEDALE"; thence North 66° 39' 30" West along the Northerly line of said Tract 1 a distance of 90.70 feet; thence South 38° 48' 28" West a distance of 94.97 feet; thence South 65° 21' 03" East a distance of 113.91 feet; thence North 24° 38' 57" East a distance of 94.71 feet to the point of beginning.**

**TOGETHER WITH an easement situated in Tracts 1 and 2A "HOMEDALE" Subdivision situated in the NW 1/4 NE 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:**

**Beginning at a point on the Northerly line of said Tract 2A and being North 66° 39' 30" West 74.72 feet from the Northeast corner of said Tract 2A; thence North 66° 39' 30" West along the Northerly line of Tracts 2A and 1, 68.24 feet; thence South 24° 38' 57" West 94.71 feet; thence South 65° 21' 03" East 68.20 feet to the true point of beginning of the description; thence North 24° 39' 45" East 15.00 feet; thence North 66° 26' 40" West 157.19 feet; thence South 24° 38' 57" West 30.00 feet; thence South 66° 14' 56" East 191.41 feet; thence North 24° 44' 08" East 3.81 feet; thence South 56° 21' 03" East 89.87 feet to a point on the West right of way line of Homedale Road; thence along said right of way line North 00° 18' 43" East 26.93 feet; thence North 72° 05' 12" West 113.79 feet to the point of beginning.**