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MT6-67614 SM



Vol M05 Page 01856

State of Oregon, County of Klamath  
Recorded 01/10/2005 2:52 p. m  
Vol M05 Pg 01856-57  
Linda Smith, County Clerk  
Fee \$ 26.00 # of Pgs 2

THIS SPACE RESERV

After recording return to:

THE CHARLES W. SMITH AND TOMOKO K.  
SMITH TRUST DATED 9-12-95

P.O. BOX 322  
BASS Lake, CA 93604

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

THE CHARLES W. SMITH AND TOMOKO K.  
SMITH TRUST DATED 9-12-95

P.O. BOX 322  
BASS Lake, CA 93604

Escrow No. MT67614-SM

### STATUTORY WARRANTY DEED

**HOLING FAMILY PARTNERS, L.P., A CALIFORNIA LIMITED PARTNERSHIP**, Grantor(s) hereby convey and warrant to **CHARLES W. SMITH AND TOMOKO K. SMITH, TRUSTEES OF THE CHARLES W. SMITH AND TOMOKO K. SMITH TRUST DATED 9-12-95**, Grantee(s) the following described real property in the County of **KLAMATH** and State of Oregon, free of encumbrances except as specifically set forth herein:

**SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE**

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is **PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.**

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 24 day of DECEMBER, 2004

HOLING FAMILY PARTNERS, L.P., A CALIFORNIA LIMITED PARTNERSHIP

BY: Dwight Wiley Holing General Partner  
**DWIGHT WILEY HOLING, GENERAL PARTNER**

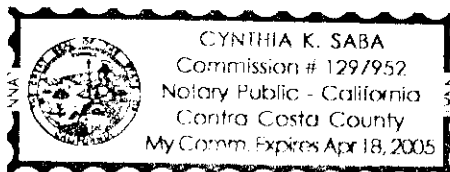
STATE OF CALIFORNIA

COUNTY OF CONTRA COSTA ss.

On 12-24, 2004 before me, CYNTHIA K. SABA personally appeared DWIGHT WILEY HOLING, GENERAL PARTNER OF HOLING FAMILY PARTNERS, L.P., A CALIFORNIA LIMITED PARTNERSHIP 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 executed the same in authorized capacity(ies), and that by 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 Cynthia K. Saba



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01857

EXHIBIT "A"  
LEGAL DESCRIPTION

PARCEL A:

Lots 11 and 12, Block 1 of FIRST ADDITION TO ALTAMONT ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No: 3909-003CA-00600-000 Key No: 526620

PARCEL B:

The South 140 feet of Lot 13 and the South 140 feet of the W1/2 of Lot 14, in Block 1, FIRST ADDITION TO ALTAMONT ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No: 3909-003CA-03800-000 Key No: 526657

PARCEL C:

The Northerly 60 feet of Lots 13 and 14, Block 1, FIRST ADDITION TO ALTAMONT ACRES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, SAVING AND EXCEPTING therefrom the following described parcel:

Beginning at the Northeast corner of Lot 14, Block 1; thence South along the East line of Lot 14, a distance of 60 feet; thence West parallel to the North line of Lot 14, 30 feet to a point; thence in a Northeasterly direction, to the point of beginning.

Tax Account No: 3909-003CA-03900-000 Key No: 526648