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MT67545 SH

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THIS SPACE RE

State of Oregon, County of Klamath  
Recorded 01/11/2005 3:17 P m  
Vol M05 Pg 02163  
Linda Smith, County Clerk  
Fee \$ 21 # of Pgs 1

After recording return to:  
THE CHARLES W. SMITH AND TOMOKO K.  
SMITH TRUST DATED 9-12-95

P O Box 322  
Bass Neward 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 Neward Lake, CA 93604

Escrow No. MT67545-SH

### STATUTORY WARRANTY DEED

**Charles B. Masten and Selena C. Masten, as tenants by the entirety**, Grantor(s) hereby convey and warrant to **CHARLES W. SMITH AND TOMOKO K. SMITH, TRUSTEES UNDER 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:

Lot 3 in Block 8 of Tract 1080, WASHBURN PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Tax Account No: 3909-010BC-02200-000

Key No: 542700

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.

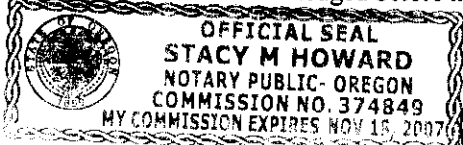
Dated this 10<sup>th</sup> day of January, 2005.

Selena C. Masten

Charles B. Masten

State of Oregon  
County of KLAMATH

This instrument was acknowledged before me on Jan 10, 2005 by Charles B. Masten and Selena C. Masten.



(Notary Public for Oregon)

My commission expires 11/18/2007

2/10  
am