

05 APR 22 PM 3:00

mtc- 68505ms



Vol M05 Page 28672

State of Oregon, County of Klamath
Recorded 04/22/2005 3:00 p m
THIS SPACE RE Vol M05 Pg 28672-73
Linda Smith, County Clerk
Fee \$ 26.00 # of Pgs 2

After recording return to:
Kevin C. Westfall
P.O. Box 1746
Klamath Falls, OR 97601

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

Kevin C. Westfall
P.O. Box 1746
Klamath Falls, OR 97601

Escrow No. MT68505-MS

STATUTORY WARRANTY DEED

Benton
Gerald Whitlatch, Grantor(s) hereby convey and warrant to **Kevin C. Westfall and Carol F. Westfall, as tenants by the entirety**, 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.**

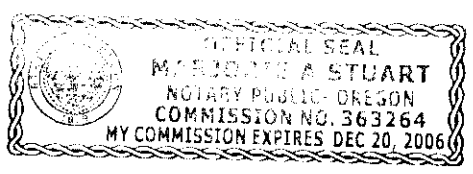
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 17th day of April, 2005

BY: Gerald Benton Whitlatch
Gerald B. Whitlatch, Exchangor

State of Oregon
County of Klamath

This instrument was acknowledged before me on 4/11, 2005 by Gerald B. Whitlatch.



[Signature]
(Notary Public for Oregon)
My commission expires 12/20/06

26.00
4/22/05

EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land situated in the E1/2 of Section 25, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being more particularly described as follows:

Beginning at the C-N1/16 corner of said Section 25; thence East, along the North line of the S1/2 NE1/4 of said Section 25, 370 feet, more or less, to the Southwesterly right of way line of the Burlington Northern Railroad; thence Southeasterly, along the said Southwesterly right of way line, 1940 feet, more or less; thence West, along the said right of way line, 110 feet, more or less; thence Southeasterly, along said right of way line, 200 feet, more or less, to the West right of way line of the USBR A-7 Lateral; thence Southerly, along the said West right of way line, 1030 feet, more or less, to the North line of that tract of land described in Deed Volume M03, page 05798, Microfilm Records of Klamath County, Oregon; thence along the boundary of said Deed Volume, North 52° 23' West 220 feet, more or less, and South 29° 25' West, 39.3 feet, more or less, to a point on the North right of way line of the U.S.B.R. No. 1 Drain; thence Westerly along the said North right of way line, 1840 feet, more or less, to the North-South center section line of said Section 25; thence North 2800 feet, more or less, to the point of beginning.

SAVING AND EXCEPTING any portion lying within the right of way of Henley Road.

Tax Account No: 3909-02500-01300-000
Tax Account No: 3909-025A0-04002-000

Key No: 583504
Key No: 889997