

05 JUN 14 PM 11:03

MTZ-69543TM

WHEN RECORDED MAIL TO:
Jimmie H. Butler
12305 Overland Drive
Klamath Falls, Oregon 97601

MAIL TAX STATEMENTS TO:
Jimmie H. Butler
12305 Overland Drive
Klamath Falls, Oregon 97601

Vol M05 Page 44321

State of Oregon, County of Klamath
Recorded 06/14/05 11:14a.m
Vol M05 Pg 44321-26
Linda Smith, County Clerk
Fee \$ 46⁰⁰ # of Pgs 6

QUITCLAIM DEED

BETTY RAMEY,

GRANTOR, quitclaims to

^{SR}
JIMMIE H. BUTLER and J. COLLEEN BUTLER, as Joint Tenants With Rights of Survivorship

GRANTEES, the following described all of the interest I may have in water rights located on real property situate in Klamath County, State of Oregon:

A well located at 12305 Overland Drive, Klamath Falls, Klamath County, Oregon and legally described in Exhibit A, attached hereto and by this reference, incorporated herein.

Said water rights are recorded at Vol. M79 Page 5761 in the Records books of Klamath County, Oregon and legally described in Exhibit B, attached hereto and by this reference, incorporated herein.

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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-. This deed is given as an accommodation.

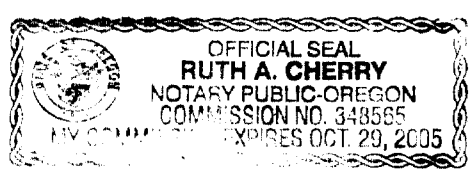
In construing this deed and where the context so requires, the singular includes the plural.

Dated: June 7, 2005.

Betty S Ramey

STATE OF OREGON)
County of Klamath) ss

On the 7th day of June, 2005, personally appeared the above named Betty Susan Ramey and acknowledged the foregoing instrument to be her voluntary act and deed.



[Signature]
Notary Public for Oregon

4600 am

64623

WARRANTY DEED—TENANTS BY ENTIRETY

44322

6762

Page 79

KNOW ALL MEN BY THESE PRESENTS, That William Victor, aka William K. Victor and Debra Victor, aka Debra D. Victor, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by Jimmie H. Butler and J. Colleen Butler, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

PARCEL 1:

A tract of land situated in the NE¹/₄NE¹/₄SE¹/₄ of Section 20, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point from which the East $\frac{1}{4}$ corner of said Section 20 bears North $45^{\circ} 01' 26''$ East 471.56 feet; thence South $45^{\circ} 01' 26''$ West 431.04 feet to a point on the Northeasterly right of way line of Overland Drive, as dedicated by Tract 1083 - CEDAR TRAILS, a duly recorded subdivision; thence North $42^{\circ} 25' 37''$ West, along said right of way line 43.20 feet to a point on the West line of said NE¹/₄NE¹/₄SE¹/₄; thence North $00^{\circ} 27' 21''$ West 604.53 feet to the Northwest corner of said NE¹/₄NE¹/₄SE¹/₄; thence South $45^{\circ} 36' 37''$ East 474.22 feet to the point of beginning.

(for continuation of this deed see reverse side of this document)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantees and the heirs of the survivor and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as noted of record as of the date of this deed and those apparent upon the land, if any, as of the date of this deed;

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 39,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which). (The sentence between the symbols \circledast , if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and individuals.

In Witness Whereof, the grantor has executed this instrument this 27 day of March, 1979; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

William Victor, aka William K. Victor

Debra Victor, aka Debra D. Victor

STATE OF OREGON,

County of Klamath

3/27

1979

Personally appeared the above named William Victor, aka William K. Victor and Debra Victor, aka Debra D. Victor, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires

My Commission Expires July 13, 1981

STATE OF OREGON, County of

19

Personally appeared

who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of 19

at o'clock M., and recorded in book on page or as

file/reel number

Record of Deeds of said county.

Witness my hand and seal of County affixed.

EXHIBIT A
PAGE
By
Deputy

After recording return to:

MTC

NAME, ADDRESS, ZIP

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

no change

PARCEL 2:

A tract of land situated in the NE 1/4 of Section 20, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

6763

Beginning at the East 1/4 corner of said Section 20; thence South 45° 01' 26" West 471.56 feet to a point; thence North 45° 36' 37" West 474.22 feet to the Northwest corner of said NE 1/4; thence North 89° 51' 58" East 672.46 feet to the point of beginning.

44323

Subject, however, to the following:

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.

2. Subject to the requirements and provisions of ORS Chapter 481 pertaining to the registration and transfer of ownership of a Mobile Home and any interest or liens disclosed thereby.

3. Trust Deed, including the terms and provisions thereof, given to secure an indebtedness with interest thereon and such future advances as may be provided therein.

Dated: August 31, 1977

Recorded: September 6, 1977

Volume: M77, page 16488, Microfilm Records of Klamath County, Oregon

Amount: \$21,000.00

Grantor: William Victor and Debra Victor, husband and wife

Trustee: William L. Sisemore

Beneficiary: First Federal Savings and Loan Association of Klamath Falls, Oregon (With other property) which Grantees herein assume and agree to pay the present unpaid principal balance of which is \$_____ with interest paid to _____, to Klamath First Federal Savings and Loan Association, and Grantees herein agree to hold Grantors harmless therefrom.

4. Water Rights Agreement, including the terms and provisions thereof, recorded March 13, 1979 in Volume M79, page 5761, Microfilm Records of Klamath County, Oregon

Grantors herein hereby convey an undivided one-third interest in that certain Water Rights Agreement dated March 13, 1979, and recorded March 13, 1979 in Volume M79, page 5761, Microfilm Records of Klamath County, Oregon in that certain well located on Parcel 1. Grantees hereby agree to share equally in the maintenance of said well and power usage.

TOGETHER WITH a 1976 Redmond Walden, Serial Number 11807918, License Number X140373 mobile home which is presently encumbered under that certain Trust Deed dated August 31, 1977 to Klamath First Federal Savings and Loan Association. The selling price allocated to the mobile home is the sum of \$20,000.00.

STATE OF OREGON; COUNTY OF KLAMATH; ss

and for record at request of Mountain Title Co.

this 27th day of March, A. D. 1979 at 10:40 clock A. M., on

file recorded in Vol. M79, of Deeds on Page 6762

Wm D. MILNE, County Clerk

By Barbara White

Fee \$6.00

EXHIBIT
PAGE

A

2

44324

WATER RIGHTS AGREEMENT

Vol. 79 Page 5761

63961

March 1, 1979

We, the undersigned, William K. and Debra D. Victor, of Overland Drive of Keno, and Gary A. and Mary L. Williams of Overland Drive of Keno, do own and hold water rights of 2/3 and 1/3 interests, respectively. The well being situated on Parcel 1 of NE1/4SE1/4 of section 20, T40S, R8EWM, Klamath County, Oregon. The interests are to be held respectively by the parties named above until that said parcel is sold and then the water rights are to then be transferred along with the land when sold. The interests are to be broken up as follows:

1/3 interest to go with Parcel 1 & 2 of NE1/4SE1/4 of Section 20, T40S, R8EWM, Klamath County, Oregon, owned by William K. and Debra D. Victor. 1/3 interest to go with Parcel 3 of NE1/4SE1/4 of Section 20, T40S, R8EWM, Klamath County, Oregon, owned by William K. and Debra D. Victor. The remaining 1/3 interest to go with Lot 1, Block 2, of Cedar Trails Subdivision, owned by Gary A. and Mary L. Williams. There will only be three houses allowed to run off this water system, that is one house per interest.

All maintenance and power usage will be shared by the parties using the water system.

William K. Victor 3-12-79
William K. Victor

Gary A. Williams 3/12/79
Gary A. Williams

Debra D. Victor
Debra D. Victor

Mary L. Williams
Mary L. Williams

STATE OF OREGON,

County of Klamath ss.FORM NO. 23 - ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 12 day of March, 1979, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named William K. Victor and Debra D. Victor
Gary A. Williams and Mary L. Williams

known to me to be the identical individual^s described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

William Victor
Box 491
Keno, Or.

Lee Nelson
Notary Public for Oregon.
My Commission expires 2-3-83

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 13th day of March A.D., 1979 at 2:53 o'clock P.M., and duly recorded in Vol. M79 of Deeds on Page 5761.

FEE \$3.00

WM. D. MILNE, County Clerk

By Bonita SkutchEXHIBIT BPAGE 10 of 1

79 MAR 13 PM 2 53

WV
DY

320

AFFIDAVIT

JUNE 13, 2005

Re: WELL AGREEMENT M88 PAGE 10415

This affidavit is made this date to document the fact that the WELL SHARING AGREEMENT WITH EASEMENT recorded in Volume M88 at Page 10415, Microfilm Records of Klamath County, Oregon is hereby amended to delete the real property described in Exhibit "C" attached hereto and made a part hereof.

The owner of said real property has executed the quitclaim deed attached hereto to extinguish and all right to said well and easement. Betty Susan Ramey, owner of the herein described parcel, is hereby released from said well sharing agreement with easement and also all liability which would arise from said agreement. Jimmie H. Butler and J. Colleen Butler hereby accept the additional maintenance resulting therefrom and agree to the terms of the quitclaim deed.

This affidavit is made to induce AMERITITLE, their heirs, successors and assigns, to issue a policy of title insurance without the well sharing agreement with easement showing as an exception on the parcel owned by Betty Susan Ramey described in Exhibit "C" attached hereto and made a part hereof. The parties shall indemnify AmeriTitle, its successors, heirs and assigns, against any loss, including attorney fees, they may sustain as a result of omitting the reservation from the policy of title insurance.

Signed this 13, day of June, 2005.

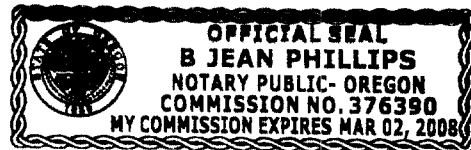
Jimmie H. Butler Sr.
Jimmie H. Butler

Colleen Butler
Colleen Butler

Signed before me this 13th day of June, 2005 by Jimmie H. Butler and J. Colleen CButler as their voluntary act and deed.

Before Me: *B. Jean Phillips*
Notary Public for Oregon

My Commission expires 3-2-08



44326

EXHIBIT "C" TO AFFIDAVIT

LEGAL DESCRIPTION

A tract of land situated in the NE1/4 NE1/4 SE1/4 of Section 20, Township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the East 1/4 corner of said Section 20; thence South 00° 30' 12" East 665.53 feet to the Southeast corner of said NE1/4 NE1/4 SE1/4; thence South 89° 54' 21" 618.25 feet to the Northeasterly right of way line of Overland Drive, as dedicated by Tract 1083-Cedar Trails, a duly recorded subdivision; thence North 42° 25' 37" West, along said right of way, 38.68 feet; thence 45° 01' 26" East 902.60 feet to the point of beginning with bearings based on said Tract 1083-Cedar Trails.

Account No.: 4008-020DO-00200-000

Key No.: 624747