

05 JUL 15 PM 3:13

After Recording Return to:

MICKEY CUMMINGS and ESTER CUMMINGS and CHRISTY ANN CUMMINGS

P.O. Box 41

Klamath Falls OR 97601

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

State of Oregon, County of Klamath

Recorded 07/15/05 3:13 p m

Vol M05 Pg 54742-43

Linda Smith, County Clerk

Fee \$ 26.00 # of Pgs 2

*Aspen 6/16/98*

**WARRANTY DEED**

(INDIVIDUAL)

JAMES PEX, SUCCESSOR TRUSTEE OF THE RICHARD WILLIAM PEX REVOCABLE LIVING TRUST, herein called Grantor, convey(s) to MICKEY CUMMINGS and ESTER CUMMINGS and CHRISTY ANN CUMMINGS, not as tenants in common, but with rights of survivorship, 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 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 \$100,000.00.  
(here comply with the requirements of ORS 93.930)

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 July 13, 2005.

RICHARD WILLIAM PEX REVOCABLE LIVING TRUST

*[Signature]*  
BY: JAMES PEX, SUCCESSOR TRUSTEE

STATE OF OREGON, County of Klamath) ss.

On July 14, 2005, personally appeared the above named JAMES PEX AS SUCCESSOR TRUSTEE OF THE RICHARD WILLIAM PEX REVOCABLE LIVING TRUST and acknowledged the foregoing instrument to be his voluntary act and deed.

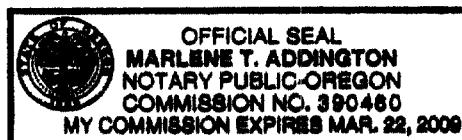
This document is filed at the request of:



525 Main Street  
Klamath Falls, OR 97601  
Order No.: 00061698

Before me: *[Signature]*  
Notary Public for Oregon  
My commission expires: March 22, 2009

Official Seal



26A

54743

**EXHIBIT "A"**

**PARCEL 1:**

Beginning at an iron pin which lies North 89° 40' East along the forty line a distance of 780.0 feet from the iron pin which marks the intersection of 4th Avenue and 4th street of Altamont Acres, which point of intersection is also the Southwest corner of the NE 1/4 NE 1/4 of Section 10, Township 39 South, Range 9, East of the Willamette Meridian, and running thence North 1° 02' West a distance of 110 feet to the true point of beginning of this description; thence continuing North 1° 02' West a distance of 60 feet; thence North 89° 40' East a distance of 187.2 feet to the Westerly right of way line of the U.S.R.S Drain Ditch; thence South 26° 17' East along said Westerly right of way line of Drain Ditch to a point which is North 89° 40' East From the point of beginning; thence South 89° 40' West to the point of beginning.

CODE 041 MAP 3909-010AA TL 03100 KEY# 540374

**PARCEL 2:**

A tract of land situated in the NE 1/4 of the NE 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, in Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin which lies North 89° 40' East along the forty line a distance of 780.0 feet from the iron pin which marks the intersection of 4th Avenue and 4th Street of Altamont Acres, which point of intersection is also the Southwest corner of the NE 1/4 of the NE 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, and running thence: Continuing North 89° 40' East a distance of 99.6 feet to an iron pin which lies on the Westerly right of way line of the U.S.R.S. Drain ditch; thence North 26° 17' East along the said Westerly right of way line of the U.S.R.S. Drain a distance of 190.5 feet to an iron pin; thence South 89° 40' West a distance of 187.2 feet to an iron pin; thence South 1° 02' East a distance of 170 feet, more or less, to the point of beginning.

**EXCEPTING THEREFROM**

Beginning at an iron pin which lies North 89° 40' East along the forty line a distance of 780.0 feet from the iron pin which marks the intersection of 4th Avenue and 4th Street of Altamont Acres, which point of intersection is also the Southwest corner of the NE 1/4 NE 1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, and running thence North 1° 02' West a distance of 110 feet to the true point of beginning of this description; thence continuing North 1° 02' West a distance of 60 feet; thence North 89° 40' East a distance of 187.2 feet to the Westerly right of way line of U.S.R.S. Drain Ditch; thence South 26° 17' East along said Westerly right of way line of Drain Ditch to a point which is North 89° 40' East from the point of beginning; thence South 89° 40' West to the point of beginning.

CODE 041 MAP 3909-010AA TL 03200 KEY# 540383