

M05-67726

Klamath County, Oregon

10/28/2005 12:15:59 PM

Pages 3 Fee: \$31.00

After recording return to:

o/c Larry E. Smith and Linden E. Smith,
Trustees of the L & L Smith Revocable Living Trust
6340 Tingley Lane
Klamath Falls, OR 97603

Until a change is requested
send tax statements to the
following address:

Larry E. Smith and Linden E. Smith,
6340 Tingley Lane
Klamath Falls, OR 97603

Dated October 28, 2005

STATUTORY WARRANTY DEED

Larry E. Smith and Linden E. Smith, as Trustees of the L & L Smith Revocable Living Trust, under trust agreement dated August 26, **2005**, or to such Successor Trustee(s) of said Trust(s) created under such agreement(s) as may hereinafter be appointed, hereinafter called "Grantors", convey and warrant, to **Larry E. Smith and Linden E. Smith, as tenants by the entirety**, hereinafter called "Grantees" the following real property, free of liens and encumbrances, except as specifically set forth herein:

The Real Property known as 6340 Tingley Lane in Klamath County, Oregon as specifically described in the attached Exhibit "A" Legal description:

THE LIABILITY AND OBLIGATIONS OF THE GRANTORS TO GRANTEES AND GRANTEES' HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTORS UNDER A [STANDARD POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD EXTENDED]. IT IS THE INTENTION OF THE GRANTORS TO PRESERVE ANY EXISTING TITLE INSURANCE COVERAGE. THE LIMITATIONS CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTORS OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

The true consideration for this conveyance is \$0.

"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

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approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930."

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns, that "grantors" are lawfully seized in fee simple of the above granted premises, free from all encumbrances except those of record 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 of parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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 to individuals.

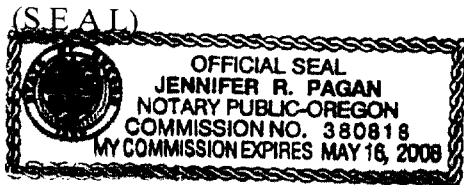
In Witness Whereof, the undersigned "grantors," have executed this instrument this 28 day of October 2005.

Larry E. Smith
LARRY E. SMITH, TRUSTEE

Linden E. Smith
LINDEN E. SMITH, TRUSTEE

STATE OF OREGON, County of Klamath)ss.

Personally appeared the above named Larry E. Smith and Linden E. Smith, and acknowledge the foregoing instrument to be THEIR voluntary act and deed on Oct. 28, 2005.



Before me.

Jennifer R. Pagan
Notary Public for Oregon

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Larry E Smith and Linden E. Smith, Trustees of the L. & L Smith Revocable Living Trust on the ___ day of October, A.D. 2005 at ___ o'clock __. M. And duly recorded in Vol. _____, of Deeds on Page _____.

Fee: \$ _____

Linda Smith, County Clerk

By _____

EXHIBIT "A"
LEGAL DESCRIPTION

All that portion of Government Lot 7 and Government Lot 13, Section 20, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying North of the First Unit Main Drain and South of the 1-K Drain of the Klamath Project, being more particularly described as follows:

Beginning at a point where the Southerly right of way line of the 1-K Drain intersects the East boundary of said Section 20, which point bears South 109.8 feet from the Northeast corner of said Section 20; thence South, along the Section line 541.0 feet, more or less, to the Northerly right of way line of the First Unit Main Drain; thence along said Northerly right of way line of the First Unit Main Drain South 74 degrees 37' West 150 feet; thence on a curve to the right with a 393 foot radius and a distance of 149.7 feet, measured in 50 foot chords; thence North 83 degrees 33' West, 141 feet; thence on a curve to the left with a 371 foot radius and a distance of 286.1 feet, measured in 50 foot chords; thence South 52 degrees 15' West, 400.00 feet; thence South 67 degrees 25' West 321.1 feet, more or less, to a point on the West line of Lot 7 of Section 20; thence North along the West line of Government Lot 7 and Government Lot 13 of Section 20, 1,120.2 feet, more or less, to a point in the Southerly right of way line of the 1-K Drain, which point bears South 10 feet from the Northwest corner of said Government Lot 13 of Section 20; thence North 89 degrees 55' East, along the Southerly right of way line of said 1-K Drain, 631.0 feet; thence on a curve to the right with a 563 foot radius and a distance of 86.9 feet; thence South 81 degrees 04' East 606.7 feet, more or less, to the point of beginning.

SAVE AND EXCEPTING 30 feet off the East side of the NE1/4 NE1/4 of Section 20, Township 39 South, Range 9 East of the Willamette Meridian.

ALSO SAVING AND EXCEPTING the following:

A tract of land situated in Government Lots 7 and Government 13, Section 20, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the intersection of the Southerly line of the 1K Drain and the Westerly right of way line of the Old Midland Highway; thence Northwest along the Southerly right of way line of the 1K Drain, 680 feet; thence continuing Westerly along said drain 700 feet; thence South 400 feet; thence East to a point that is South, 350 feet from the point of beginning and located on the Westerly right of way line of said highway; thence North along said highway 350 feet to the point of beginning.
