

**M06-12846**

Klamath County, Oregon

06/22/2006 03:45:55 PM

Pages 6 Fee: \$46.00



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:  
Donald E. Hester and Michael J.  
Hester and Nathan W. Hester

914 Weibel Cr  
Danley, CA 94561

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

Donald E. Hester and Michael J. Hester  
and Nathan W. Hester  
Address as shown above.

File No.: 7021-813169 (ALF)

Date: May 08, 2006

### STATUTORY WARRANTY DEED

**FRANCIS E. YOUNG**, Grantor, conveys and warrants to **DONALD E. HESTER and MICHAEL J. HESTER and NATHAN W. HESTER, as tenants in common**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

**Lot 11 Block 3 of First Addition to Nimrod River Park, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

**This property is free from liens and encumbrances, EXCEPT:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$love and affection**. (Here comply with requirements of ORS 93.030)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 2 day of June, 20 06

46-F

APN: 345996

Statutory Warranty Deed  
- continued

File No.: 7021-813169 (ALF)  
Date: 05/08/2006

X Francis E. Young  
Francis E. Young  
*Judith Hester*  
*as attorney in fact*

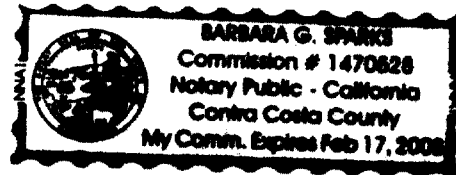
STATE OF California )  
County of Contra Costa )ss.

This instrument was acknowledged before me on this 2 day of June, 2006  
by ~~Francis E. Young~~ *(68)*  
*Judith Hester*

*Barbara G. Sparks*

Notary Public for California

My commission expires: 2/17/08



**DURABLE GENERAL POWER OF ATTORNEY**  
**For Francis Edward Young**

I, FRANCIS EDWARD YOUNG, a resident of County of Contra Costa, State of California, declare that this is a Durable Power of Attorney and I revoke all other powers of attorney previously made by me. I do hereby make, constitute and appoint my daughter, **Judith Ann Hester** and grandson, **Donald Edward Hester** with residence at 914 Weibel Circle, Oakley, CA 94561 and 5522 River Lake Road, Discovery Bay, California 94514, my true and lawful attorneys in fact for me, in my name, place and stead, and for my use and benefit, to act in, manage and conduct all my estate and affairs, particularly with relation to all my property, including real, personal, and mixed property of every nature, kind, and description, and wheresoever located, and including all other matters whatsoever, whether or not of like character with those above mentioned, in which I may be in any manner interested or concerned. Said attorneys in fact at any time may act jointly or alone or if either of the aforesaid attorneys in fact shall for any reason fail to qualify or cease to act as such, the other shall act or continue to act as sole attorney in fact. For the aforesaid purpose, and as my act and deed, I authorize and empower my said attorneys in fact particularly, but in no way limiting the generality of the foregoing, to do and execute any or all of the following acts, deeds, and things:

(1) **BANK ACCOUNTS AND COLLECTION OF MONIES.** To collect, receive and accept receipt for any and all sums of money or payments due, or to become due, to me; and to make, endorse, cash, deposit, receive the proceeds of, or otherwise negotiate all checks, drafts, warrants, money orders, or other negotiable instruments payable to me or to my order; to make deposits or investments in, or withdrawals from, any account, holding, or interest which I may now or hereafter have or be entitled to, in any banking, trust, or investment institution, including postal savings depository offices, credit unions, savings and loan associations, and similar institutions; to exercise any right, option, or privilege pertaining thereto; to open or establish accounts, holding, or interests of whatever kind or nature, with any institution, in my name or in my said attorney's name or both our names jointly, either with or without right of survivorship; and to pay all bills, accounts, claims, and demands now or hereafter payable by me.

(2) **REAL PROPERTY AND PERSONAL PROPERTY.** To contract for, purchase, receive, take possession of, lease, rent, manage and control, sell, transfer, quitclaim, release, convey, assign, mortgage, convey by way of deed of trust, hypothecate, pledge, or otherwise encumber or dispose of, or to contract or agree for the disposal or encumbrance of, lands, tenements, hereditaments, and other real and personal property, or any interest therein, of every kind and description; and as my act and deed, and on my behalf, to sign, execute, acknowledge, and deliver any and all instruments in writing of whatsoever kind and nature, as may be necessary or convenient to effectuate said transactions.

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**For Francis Edward Young**

To eject, remove, or relieve tenants, or other persons from, and recover possession of such real property or personal property, by all lawful means; and to maintain, protect, preserve, insure, remove, store, transport, repair, build on, raze, rebuild, alter, modify, or improve said real property or personal property, or any part thereof.

(3)           **EXECUTION OF INSTRUMENTS.** To make, sign, seal, execute, acknowledge and deliver deeds, leases, assignments, covenants, contracts, mortgages, deeds of trust, reconveyances under deeds of trust, escrow instructions, hypothecations, notices, bills of lading, bills of sale, bonds, notes, receipts, evidences of debts, releases, satisfactions of mortgages, satisfactions of judgments and other instruments in writing of every kind and description.

(4)           **BUSINESS AFFAIRS.** To act for me in any and all ways in any business in which I may have been or may be engaged or interest in any way; to make, do, and transact all business of whatsoever kind or nature, including the receipt, recovery, collection, payment, compromise, settlement, and adjustment of all accounts, legacies, bequests, interests, dividends, annuities, claims, demands, debts, taxes, and obligations, which may now or hereafter be due, owing, or payable by me or to me.

(5)           **STOCKS AND BONDS.** To act as my attorney in fact or proxy in respect to, and to sell, pledge, encumber, endorse, and make delivery of any and all stocks, shares, bonds, or other investments, rights, or interests, in which I may which I may have or hereafter acquire, any right, title, or interest. To attend meetings of stockholders of all corporations in which I own stock, with full power to vote and act for me at any such meetings, and to exercise any and all rights which I may have in connection with any such stock.

(6)           **LITIGATION.** To institute, commence, prosecute, appear in my behalf, enforce, defend, answer, and oppose all actions, suits or other legal proceedings of every kind and description in which I may now be or may become engaged or interested in any way; and to compromise, refer to arbitration, or submit to judgment in any such action or proceedings, whether before or after suit may be actually commenced.

(7)           **SAFE DEPOSIT BOXES.** To have access to any safe deposit box or boxes that may be now or hereafter rented by me or for me, or standing in my name, to withdraw or remove any of the contents thereof, and to make deposits in and otherwise use or surrender such box or boxes in my name or in said

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**For Francis Edward Young**

attorney's name or in both our names jointly, either with or without right of survivorship.

(8) **COUNSEL, AGENTS, EMPLOYEES.** To engage and dismiss agents, counsels, and employees in respect to all or any of the matters or things herein mentioned, and upon such terms as my attorneys or attorney shall think fit.

(9) **TAXES.** To prepare, execute, and file income and other tax returns and claims for refunds thereon and other governmental reports, declarations, applications, requests, and documents, and to receive, endorse, and collect the proceeds of tax refund or rebate checks or vouchers.

(10) **GOVERNMENT VOUCHERS.** To execute vouchers in my behalf for any and all allowances and reimbursements properly payable to me by the United States, and to receive, endorse, and collect the proceeds of checks payable to the order of the undersigned, drawn on the Treasurer of the United States for whatever account.

I give to my said attorneys in fact full power and authority to do and perform all and every act and thing with respect to my estate, property, affairs, and interests as fully as I would be able to do personally. The powers set out above are by way of example of the full powers granted by this document, and are not in limitation or definition of them.

I hereby ratify and confirm all that my attorneys in fact, **Judith Ann Hester** and **Donald Edward Hester**, my attorneys in fact, shall lawfully do or cause to be done by reason of this instrument, and I declare that any and all such things lawfully done shall be binding on my heirs, legal and personal representatives, and assigns, including things done following revocation of this instrument by death or otherwise, unless and until reliable intelligence or notice thereof is received by my said attorneys.

I further nominate my daughter, **Judith Ann Hester** and grandson, **Donald Edward Hester** as co-conservator or co-guardian of my person or estate or both for consideration by the court in any protective proceedings with regard to my person or estate to act as such without bond. If either of the aforesaid co-conservators or co-guardians shall for any reason fail to qualify or cease to act as such, the other shall act or continue to act as sole conservator or sole guardian without bond.

It is my firm and continuing intention that all of my property and affairs be controlled and administered by my attorneys-in-fact under this instrument without

**DURABLE GENERAL POWER OF ATTORNEY**  
**For Francis Edward Young**

court approval, supervision, or involvement. In the event that a conservatorship or guardianship is ever created for either me or my property, it is my firm and continuing intention that the wishes and requests of my attorneys-in-fact under this instrument be given priority over any contrary wishes and/or requests of my conservator or guardian.

This durable Power of Attorney shall not be terminated or affected by the subsequent disability or incapacity of the undersigned principal.

A photocopy of the original of this Power of Attorney is intended by me to be valid and to be accepted as if it were the executed original.

IN WITNESS WHEREOF I have signed and acknowledged this Durable General Power of Attorney this 13 day of September at Oakley, California.

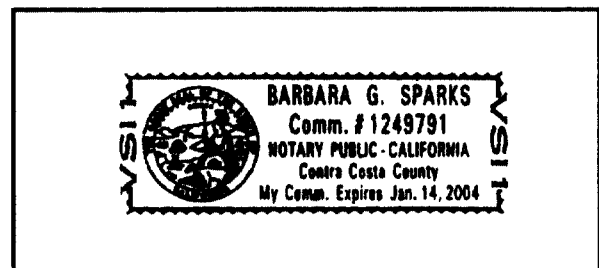
Signed: Francis Edward Young  
Francis Edward Young

**ACKNOWLEDGMENT**

STATE OF CALIFORNIA  
COUNTY OF CONTRA COSTA

On Sept. 13, 2000 before me, the undersigned, a Notary Public for said state, personally appeared, **Francis Edward Young** Personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WHITNESS my hand and official seal.



Notary's Signature:

Barbara G. Sparks

(This area for official Notarial Seal)

My Commission Expires : 1/13/2000