



After recording return to:
Bernard Nash
12004 Glad Hill
Lamirada, CA 90638

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

File No.: K56470-A (SAC)
Date: March 08, 2007

THIS SPACE

2007-006051
Klamath County, Oregon



04/02/2007 11:39:00 AM

Fee: \$61.00

STATUTORY WARRANTY DEED

~~Nelson Kagay, individually, and Donald Kagay, Bobbie Kagay, Rachel Kagay~~
~~XX~~ by
Debra Kagay as guardian, and Debra Kagay, as Successor Trustee of the Arlen C. Kagay
Living Trust Dated 11/7/96, Grantor, conveys and warrants to **Bernard J. Nash and Yvonne E.**
Nash, husband and wife, Grantee, the following described real property free of liens and
encumbrances, except as specifically set forth herein:

See Attached Exhibit "A"

Subject to:

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 **\$none**. (Here comply with requirements of ORS 93.030)

61-F

APN:

Statutory Warranty Deed
- continued

File No.: 7021-Stacy (SAC)
Date: 03/08/2007

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, 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 16th day of March, 2007.

Nelson Kagay

Nelson Kagay

~~The Heirs and Devisees of Arlen C. Kagay~~

Debra Kagay as Guardian

Debra Kagay as Guardian

The Arlen C. Kagay Living Trust dated 11/7/96

BY:

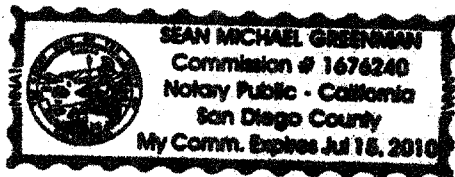
Debra Kagay Successor Trustee

Debra Kagay, Successor Trustee

STATE OF California)
County of San Diego)ss.

This instrument was acknowledged before me on this 16th day of March, 2007
by Debra Kagay

Sean Michael Greenman
Notary Public for San Diego County, California
My commission expires: July 15, 2010



ALL-PURPOSE CALIFORNIA ACKNOWLEDGEMENT

State of California

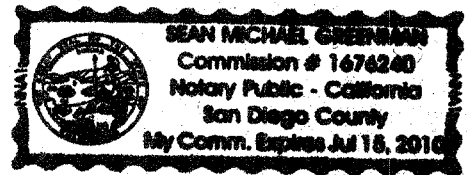
County of San Diego } ss.

On 03/28/2007 before me, Sean Michael Greenman
(DATE) (NOTARY)

personally appeared Nelson Kagay

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 by 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.

WITNESS my hand and official seal.



Signature Sean Michael Greenman

(seal)

*****OPTIONAL INFORMATION*****

The following information is not required by law, however it may be helpful in preventing fraudulent use of this acknowledgement.

DOCUMENT TITLE OR DESCRIPTION _____

DOCUMENT DATE: _____ NUMBER OF PAGES: _____

COMMENTS:

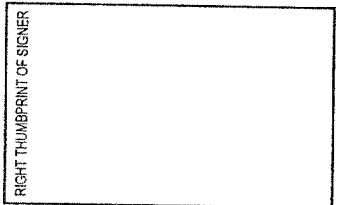
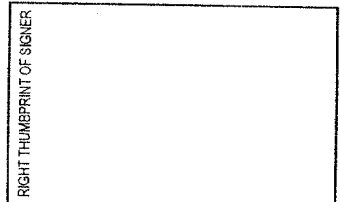


EXHIBIT "A"

Parcel 1:

A parcel of land situated in the E ½ of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and being more particularly described as follows:

Beginning at the ¼ corner common to Sections 13 and 24, Township 39 South, Range 9 East of the Willamette Meridian; thence North along the North South center line 30.00 feet to the true point of beginning; thence continuing North along the North South center section line 4190.0 feet to the intersection with the Southerly right of way line of the U.S.B.R. A Canal; thence Southeasterly along the Southerly right of way line of said canal to its intersection with the centerline of a drain ditch, some 620 feet East of the West line of the E ½ of said Section 13; thence in a generally Southerly direction along said canal centerline to its intersection with the centerline of a second drain ditch; thence in a generally Southeasterly direction along the centerline of the second drain ditch, to a point that is some 565 feet East of the West line of the E ½ of said Section 13; thence due South to a point 30 feet North of the South line of said Section 13; thence West 503 feet more or less, to the point of beginning.

EXCEPTING THEREFROM that portion lying South of the Northerly boundary of that property conveyed to Klamath County by deed recorded July 14, 1978 in Book M78 page 15156.

Parcel 2:

A parcel of land situated in the E ½ of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, in the county of Klamath, State of Oregon, and being more particularly described as follows:

Beginning at the quarter corner common to Sections 13 and 24, Township 39 South, Range 9 East of the Willamette Meridian; thence North along the North South center Section line 30.0 feet to the true point of beginning; thence continuing North along the North South center Section line 4190.0 feet to the intersection with the Southerly right of way line of the U.S.B.R. A-canal; thence Southeasterly along the Southerly right of way line of said canal to a point that is 1130.0 feet East of the West line of the E ½ of Section 13; thence South parallel to the North South center Section line 2830.0 feet to the intersection of the North right of way line of the County road (Airway Drive); thence West along the North right of way line 1130.0 feet to the point of beginning.

EXCEPTING THEREFROM that portion lying South of the Northerly boundary of that property conveyed to Klamath County in deed recorded July 14, 1978 in Book M78 page 15156.

ALSO EXCEPTING THEREFROM a parcel of land situated in the E ½ of Section 13, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, and being more particularly described as follows:

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EXCEPTING THEREFROM that portion lying South of the Northerly boundary of that property conveyed to Klamath County by deed recorded July 14, 1978 in Book m78 page 15156.

FURTHER EXCEPTING FROM THE ABOVE PARCELS the following described real property: Commencing at the North quarter corner of Section 13, of said Township and Range, South along the North South center Section line to its intersection with the Southwesterly right of way line of the U.S.B.R. A canal and the true point of beginning; thence Southwesterly along said right of way line to its intersection with the Northeasterly right of way line of the U.S.B.R. A-4-G lateral; thence Southwesterly along said right of way line to its intersection with the North South Center section line of said section; thence North along said center section line to the true point of beginning.



First American

First American Title Insurance Company of Oregon

404 Main Street, Ste 1
Klamath Falls, OR 97601
(541)884-5155 - FAX (541)882-8115

AFFIDAVIT OF HEIRSHIP AND INDEMNITY

File No: **7021-Stacy (SAC)**

Date: **March 08, 2007**

I/We, **Debra Kagay**, being first duly sworn, depose and say that:

1. Decedent **Arlen C. Kagay** died in Los Angeles - County, State of California, on July 6, 2000, and at time of death was the owner of **real property**, located in **Klamath County, Oregon** as follows:

See Attached Exhibit "A"

2. Decedent left (no will; a will a copy of which is attached) and the estate is not being probated.
3. The next of kin and heirs at law of decedent (including any party who may have lived with decedent for a period of 10 years; these parties need not be living with decedent at the time or his/her death) along with their relationship to decedent, approximate age and current address:

Name	Address/Phone No.	Relationship	Age
<u>Nelson Kagay</u>	<u>711 Franklin Ln. #4</u> <u>Vista CA 92084</u>	<u>Son</u>	<u>20</u>
<u>Bobbi Kagay</u>	<u>705 Leeward Ave</u> <u>San Marcos CA 92078</u>	<u>Daughter</u>	<u>15</u>
<u>Rachel Kagay</u>	<u>705 Leeward Ave</u>	<u>Daughter</u>	<u>13</u>
<u>Donald Kagay</u>	<u>705 Leeward Ave</u> <u>San Marcos CA 92078</u>	<u>Son</u>	<u>17</u>

4. Other than those listed above, there are no other parties with whom the deceased lived, either at the time of the decedent's death, or sometime in the past, in a situation similar to "husband and wife" (although not legally married) over a 10 year period.
5. There is no debt of decedent or claim against decedent which is or will become a claim against the estate of decedent.
6. There are no children of deceased children.
7. Decedent did not live or reside in a long term care facility, as defined by Chapter 749, Oregon Law (e.g. a licensed nursing home, a licensed residential care facility, a licensed adult foster home) either at the time of his/her death or at some time after September 9, 1995.
8. This affidavit is for the purpose of inducing First American Title Insurance Company of Oregon to allow next of kin, heir(s) or devisee(s) of decedent to clear the aforementioned real property of the interest of decedent without the necessity of probate of decedent's estate.

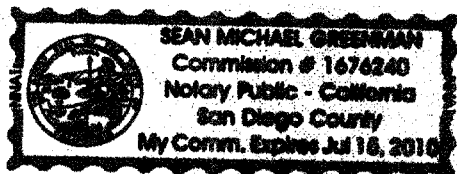
9. I/We hereby agree to indemnify and hold harmless First American Title Insurance Company of Oregon from any and all liability, obligation, expenses, legal fees or litigation costs which it may incur as a result of the falsity or inaccuracy of any statement contained in this affidavit.

Debra Kagay
Debra Kagay

STATE OF California)
County of San Diego) ss.

This instrument was acknowledged before me on this 16th day of March, 2007
by **Debra Kagay**.

Sean Michael Greenman



Notary Public for San Diego County, California
My commission expires: July 15, 2010

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