

2007-017108

Klamath County, Oregon



00032439200700171080020026

10/01/2007 02:04:44 PM

Fee: \$26.00

After Recording Return to:

RUSSELL E. WITHEM

2030 Whore Ave
Klamath Falls, Ore. 97601

Until a change is requested all tax statements

Shall be sent to the following address:

RUSSELL E. WITHEM

Same as above

WARRANTY DEED

(INDIVIDUAL)

ATZ: 65134PC

CLARK BIRD and LISA BIRD, Trustees under the BIRD FAMILY TRUST AGREEMENT dated May 4, 2006, herein called grantor, convey(s) to RUSSELL E. WITHEM, herein called grantee, all that real property situated in the County of KLAMATH, State of Oregon, described as:

See Exhibit A attached hereto and made a part hereof.

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 \$115,000.00.
(here comply with the requirements of ORS 93.930)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated September 14, 2007.

THE BIRD FAMILY TRUST AGREEMENT

BY: CLARK BIRD, TRUSTEE

BY: LISA BIRD, TRUSTEE

STATE OF CALIFORNIA, County of Merced ss.

On September 17, 2007 personally appeared the above named CLARK BIRD AND LISA BIRD, as Trustees of the BIRD FAMILY TRUST AGREEMENT dated May 4, 2006 and acknowledged the foregoing instrument to be their voluntary act and deed.

This document is filed at the request of:

 **Aspen**
TITLE & ESCROW, INC.

525 Main Street
Klamath Falls, OR 97601
Order No.: 00065134

Before me: [Signature]
Notary Public for California
My commission expires: 2-16-2011

Official Seal

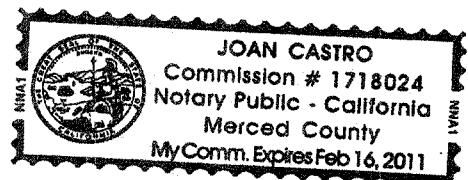


Exhibit A

All that part of the fractional SW 1/4 of the NW 1/4 of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at a point 30 feet North of and 30 feet East of the Southwest corner of the SW 1/4 of the NW 1/4 Section 19, Township 39 South, Range 10 East of the Willamette Meridian; thence North along the East line of the right of way of the State Highway, 195 feet; thence East, 110 feet to a fence corner on the West side of an irrigation ditch; thence Southeasterly along said fence on the West side of the said ditch, 224 feet to a fence corner in the North line of the County Road along the South side of the fractional SW 1/4 of the NW 1/4; thence West along the North line of the road 223 feet to the point of beginning.

TOGETHER WITH any land the grantor may own between the aforesaid tract and the ditches along the East and North sides thereof.

LESS AND EXCEPT any portion of the above described property which lies within the U.S.B.R. Canal.

CODE 170 MAP 3910-019B0 TL 00700 KEY #598348