

2009-002441

Klamath County, Oregon

Grantor's Name and Address

SAMUEL STEARNS CARNES, TRUSTEE  
VIRGINIA A. TONEY REVOCABLE LIVING TRUST  
DATED JANUARY 8, 1998  
1934 CARLSON DRIVE  
KLAMATH FALLS, OREGON 97603

Grantee's Name and Address

MAJOR JAMES TONEY, III  
WILLIAM CLIFTON TONEY  
1934 CARLSON DRIVE  
KLAMATH FALLS, OREGON 97603

After recording, return to:

THE ESTATE PLANNING GROUP  
711 BENNETT AVENUE  
MEDFORD, OREGON 97504

Until requested otherwise, send all tax statements to:

SAMUEL S. CARNES  
1934 CARLSON DRIVE  
KLAMATH FALLS, OREGON 97603



00061006200900024410010011

02/18/2009 11:17:55 AM

Fee: \$21.00

## WARRANTY DEED

KNOW ALL BY THESE PRESENTS that SAMUEL STEARNS CARNES, TRUSTEE OF THE VIRGINIA A. TONEY REVOCABLE LIVING TRUST DATED JANUARY 8, 1998, hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by MAJOR JAMES TONEY *as to an undivided 50% interest*, and WILLIAM CLIFTON TONEY *as to an undivided 50% interest, subject to a life estate for SAMUEL S. CARNES*, hereinafter called grantee, does hereby grant, bargain, sell and convey unto grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Klamath County, State of Oregon, described as follows, to-wit:

**Lot 5 in Block 1, MOYINA MANOR, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.**

The liability and obligations of the Grantor to Grantee and Grantee's 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 Grantor under any policy of title insurance issued to the Grantor at the time Grantor acquired the property. The limitations contained herein expressly do not relieve Grantor of any liability or obligation under this instrument, but merely define the scope, nature and amount of such liability or obligations.

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except: NONE, and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

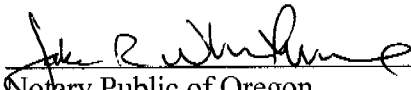
IN WITNESS WHEREOF, the grantor has executed this instrument this 10th day of February, 2009, if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

  
SAMUEL STEARNS CARNES, TRUSTEE

State of Oregon            )  
                                      : ss.  
County of Klamath        )

Before me this 10th day of February, 2009, personally appeared SAMUEL STEARN CARNES, TRUSTEE, and acknowledged the foregoing instrument to be his voluntary act and deed.

  
Notary Public of Oregon  
My Commission expires: 03/21/2011

