

2010-002902

Klamath County, Oregon



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THIS SPACE

03/03/2010 03:47:06 PM

Fee: \$57.00



After recording return to:  
First American Title  
600 Country Club Road  
Eugene, OR 97401

File No.: 7191-1505624 (tam)  
Date: February 25, 2010

### **SPECIAL POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS:

That **Darrell J. Micken**, does hereby make, constitute and appoint **Sean M. Micken** my true and lawful Attorney for me and in my name, place and stead and for my use and benefit as to that certain real property, together with any interest therein or any improvements thereon, described as follows:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**COMMONLY KNOWN AS: 12883 HIGHWAY 66, KLAMATH FALLS, OREGON 97601**

(a) To contract for purchase, receive and take possession thereof and of evidence of title thereto; to lease the same for any term or purpose, including leases for business, residence, and oil and/or mineral development; to sell, exchange, subdivide, grant or convey the same with or without warranty, covenant or restrictions; to mortgage, transfer in trust or otherwise encumber the same to secure payment of a note or performance of any obligation or agreement; and to accept the conveyance thereof in any form of tenancy, including but not limited to, tenants in common, tenants by the entirety and "not as tenants in common, but with right of survivorship; with any other person or persons, including property wherein my said Attorney is one of the co-tenants;

(b) To borrow money and to execute and deliver note therefore, with or without security; and to loan money and receive notes therefore with such security as he/she shall deem proper;

F 57

**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Klamath, State of Oregon, described as follows:

**A PARCEL OF LAND WITHIN THAT TRACT OF REAL PROPERTY RECORDED IN VOLUME 259 ON PAGE 658 OF DEED RECORDS OF KLAMATH COUNTY, OREGON, DESCRIBED THEREIN AS BEING SITUATED IN SECTIONS 29 AND 32, TOWNSHIP 39 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHWEST CORNER OF THE ABOVE MENTIONED TRACT OF REAL PROPERTY, WHICH CORNER IS RECORDED AS BEING IN AN OLD ESTABLISHED FENCE LINE DISTANT 368 FEET WEST, MORE OR LESS, FROM THE NORTHEAST CORNER OF THE SE 1/4 OF THE SW 1/4 OF SECTION 29, T. 39 S., R. 8 E.W.M.; THENCE S 06° 21' E. ALONG THE WEST BOUNDARY OF SAID TRACT OF REAL PROPERTY A DISTANCE OF 3289.58 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE N. 67° 22' E. 658.62 FEET; THENCE N. 04° 11' 20" W. 324.00 FEET; THENCE S. 70° 55' 45" W. 660.53 FEET; THENCE S. 06° 21' E. 362.00 FEET TO THE POINT OF BEGINNING CONTAINING 5.00 ACRES, MORE OR LESS, AND BEING IN SECTION 32, T. 39 S., R. 8 E.W.M., KLAMATH COUNTY, OREGON.**

**EXCEPTING FROM THE ABOVE DESCRIBED PARCEL, ALL THAT PORTION LYING NORTH OF A LINE PARALLEL WITH THE SOUTH BOUNDARY THEREOF AND 181.00 FEET DISTANT FROM SAID SOUTH BOUNDARY AS MEASURED ALONG THE EAST BOUNDARY, CONTAINING 2.61 ACRES MORE OR LESS.**

**TOGETHER WITH THE NON-EXCLUSIVE RIGHT OF INGRESS AND EGRESS ACROSS A 60 FOOT STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS: STARTING AT THE STEEL STAKE WHICH MARKS THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN VOLUME M-66 AT PAGE 7445 OF DEED RECORDS OF KLAMATH COUNTY, OREGON; THENCE S. 4°11.3' E., 317.41 FEET ALONG THE EASTERLY LINE OF THE ABOVE DESCRIBED PARCEL TO AN IRON PIN; THENCE S. 4°11.3' E., 546.30 FEET TO A STEEL STAKE LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF OREGON HIGHWAY 66 AS CONSTRUCTED; THENCE N. 72°56.4' E. 30.77 FEET ALONG SAID RIGHT OF WAY LINE TO A STEEL STAKE; THENCE N. 72°56.4', 30.77 FEET ALONG SAID RIGHT OF WAY LINE TO A STEEL STAKE; THENCE N. 4°11.3' W. 862.06 FEET TO A STEEL STAKE; THENCE S. 74°20.9' W. 30.61 FEET TO A STEEL STAKE, THENCE S. 74°20.9' W., 30.61 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.**

**NOTE:** This legal description was created prior to January 1, 2008.

(c) To transact business of any kind or class and as my act and deed to sign, execute, acknowledge and deliver any deed, lease, assignment of lease, covenant, indemnity, agreement, mortgage, deed of trust, assignment of mortgage or beneficial interest under deed of trust, subdivision plat, extension or renewal of any obligation, subordination or waiver of priority, bill of lading, bill of sale, bond, note, receipt, check, evidence of debt, full or partial release of mortgage, judgment or other debt, escrow instructions, and other such instruments in writing of any kind or class as may be necessary or proper in the premises;

(d) As to any personal property and goods, wares and merchandise, checks, chooses in action and other property in possession or in action: To contract for, buy, sell, exchange, transfer, endorse and in any legal manner deal in and with the same; and to mortgage, transfer in trust, or otherwise encumber the same to secure payment of a note or performance of any obligation or agreement;

(e) This power shall not be affected by disability of the principle: All acts done by my Attorney pursuant to this power during any period of disability or incompetence or uncertainty as to whether I am dead or alive shall have the same affect and inure to the benefit of and bind me or my heirs, devisees and personal representative as if I were alive, competent and not disabled.

(f) This Power of Attorney does not empower or authorize my said Attorney to negotiate or otherwise receive the net proceeds due to me in the case of a sale of my property.

GIVING AND GRANTING unto my said Attorney full power and authority to do and perform all and every act and thing whatsoever requisite, necessary or appropriate to be done in and about the premises as fully to all intents and purposes as I might or could do if personally present, hereby ratifying all that my said Attorney shall lawfully do or cause to be done by virtue of these presents. When the context so requires, the masculine gender includes feminine or neuter, and the singular number includes the plural.


This Power of Attorney expires **one (1)** months from the date hereof.

Dated this \_\_\_\_\_ day of **FEBRUARY** 26, 20 **10**.

  
**Darrell J. Micken**

STATE OF Montana )  
 )ss.  
County of Gallatin )

This instrument was acknowledged before me on this 26 day of **FEBRUARY**, 20 **10**  
by **Darrell J. Micken**.

  
Notary Public for State of Montana  
My commission expires: 1-1-2011

Date: February 25, 2010

File No.: 7191-1505624 (tam)

**POSITIVE PROOF IDENTIFICATION  
AND  
NOTARY SIGNATURE AFFIDAVIT**

State of Montana

County of Gallatin

Notary Public please complete the following:

Notary's Name: M Maddock  
(Please Print)

Address: 314 Crest Dr

Phone: (406) 587-1890

I, the above described Notary Public, hereby certify that I have checked the identification of those parties who have signed before me and I have attached copies of their driver(s) license(s) or other picture identification. I have verified them to be the same parties as those described in the instruments acknowledged by me.

WITNESS my hand and official seal in the County and State last aforesaid this 26 day of Feb, 20 10.

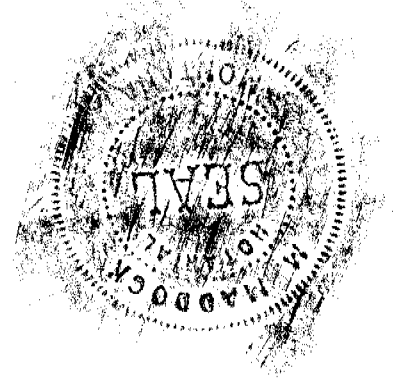
M Maddock  
Notary Public

(Seal)

M MADDOCK  
Print Name

My Commission Expires: 1-1-2011

My Commission Number is: N 53064505




Notary: Please make a copy of Driver's License(s), Passport, State Issued ID Card, or Military ID Card and return with documents.

**MONTANA**  
DRIVER'S LICENSE  
1001719354131

EXPIRES  
10/31/2010

CLASS: D



DARRELL JAMES MICKEN  
515 LEXINGTON DRIVE  
BOZEMAN, MT 59716  
DOB: 10/31/1936

SEX: M WT: 175 HT: 5-09  
EYES: BRO HAIR: UNK DONOR  
REST: J SPC REST: ENDORSE:

*Darrell Micken*  
DATE: 08/30/2007 CODE: 706063 0127