2015-011408 Klamath County, Oregon

10/16/2015 01:17:21 PM

Fee: \$67.00

BARGAIN AND SALE DEED Joan B. Martin P.O. Box 117

Readyville, TN 37149 Grantor Gary J. Larson 123 Markert Drive Elgin, TX 78621 Grantee

After recording return to: Grantee

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

KNOW ALL MEN BY THESE PRESENTS, that JOAN B. MARTIN, by Idava Larson Beach and Gary Brent Larson, co-attorney's-in-fact for Joan B. Martin, hereinafter called Grantor for the consideration hereinafter stated, does hereby grant, bargain sell and convey to GARY J. LARSON, hereinafter called grantee, and unto grantees heirs, successors and assigns all of her interest in that certain real property with the tenements, herediments and appurtenances thereunto belonging or in any way appertaining to the following described real property herein in Klamath County, Oregon, to-wit:

The West ½ of the Northwest 1/4 of Section 21, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

R-3612-00000-08100-000

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

The true consideration for this convevance is OTHER THAN MONEY.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 3. OREGON LAWS 2010. 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 T 11. CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Beach, attorney-in-fact for Joan B. Martin

Gary Brent Larson, attorney-in-fact for Joan B. Martin

STATE OF Tennessee, County of Rutherford)ss.

!// /// !// ///

On this day of d 111

| Joan B. Martin acknowledged that such person executed the same as the free act and deed | of idava Larson Beach, attorney-in-raction |
|--|--|
| Joan B. Martin Joan B. Martin | . Harmonu |
| STATE OF Printed Name: Notary Public Printed Name: My Commissioner Expires: 1 | Echnann Echnann |
| STATE OF Tennessee, County of Rutherford)ss. | |
| On this day of d | ecuted the foregoing instrument in behalf of |
| B. Martin | \ |
| Notary Public Printed Name: OF TENNESSEE NOTARY PUBLIC OF | tochmann. |
| TENNESSEE NOTARY PUBLIC PUBLIC | 30H |
| THERFORD COMMING | |
| | |
| | |
| | |

DURABLE POWER OF ATTORNEY

Executed By: Joan B. Martin

I. Appointment of Attorney

A. Initial.

I, Joan B. Martin, ("Principal") of Readyville, Rutherford County, Tennessee, hereby appoint, Idava Larson Beach, currently of Murfreesboro, Rutherford County, Tennessee, as well as Gary Brent Larson, also of Murfreesboro, Rutherford County, Tennessee, as my co-attorneys-in-fact ("my attorneys" of "my attorney") under the Uniform Durable Power of Attorney Act, T.C.A. §§ 34-6-101 et seq. and T.C.A. §§ 34-6-201 et seq.

B. Successors.

I have intentionally named no successor to the attorneys-in-fact named in this document. I specifically authorize either of my chosen attorneys-in-fact to exercise their powers independently from one another, or in concert if they so choose.

- **C. Durability.** This Power of Attorney shall not be affected by my subsequent disability or incapacity. I intend for the authority conferred on my attorney herein to be exercisable by my attorney notwithstanding any such disability or incapacity.
- **D. Purpose of this Power of Attorney.** I intend for this to be a general Power of Attorney. I shall specify certain acts that my attorney-in-fact is authorized to do on my behalf, but this is not intended to limit the generality of this power. I intend that my attorney-in-fact shall have the power to exercise or perform any act, power, duty, right, or obligation whatsoever that I now have, or may hereafter acquire the legal right, power, or capacity to exercise or perform, in connection with, arising from, or relating to any person, item, transaction, thing, business, property (real personal, tangible, or intangible), or matter whatsoever.

II. Powers.

I authorize my attorney-in-fact, for me and on my behalf, to do each of the following things the same as if I did them myself and any third party shall rely upon the authority of my attorney to act:

- A. Statutory Powers. All powers and duties listed in TCA § 34-6-109, including the power to open establish, utilize, and terminate checking and savings accounts, are hereby recognized and incorporated herein by the Principal.
- **B. Brokerage Accounts.** With respect to my brokerage accounts, to effect purchases and sales (including short sales), to subscribe for and to trade in stocks, bonds, options, rights, warrants, or other securities, domestic and foreign, whether dollar or nondollar denominated, or limited partnership interests or investments and trust units, whether or not in negotiable form, issued or unissued, foreign exchange, commodities, and contracts

Durable Power of Attorney for Joan B. Martin ______Page 2 of 5



relating to the same (including commodity futures) on margin or otherwise for my account and risk; to deliver to my broker securities for my account and to instruct my broker to deliver securities from my accounts to my attorney or to others, and in such name, and form, including their own, as they may direct; to instruct my broker to make payment of monies from my account with my broker, and to receive and direct payments therefrom payable to them or others; to sell, assign, endorse and transfer any stocks, bonds, options, rights, and warrants or other securities of any nature, at any time standing in my name and to execute any documents necessary to effectuate the foregoing; to receive statements of transactions for my account(s); to approve and confirm with reference to my account(s); and to make any and all agreements with my broker in reference thereto for me and in my behalf.

Further, my attorney may vote in person, or by general or limited proxy, with or without power of substitution, with respect to any stock or other securities I may own.

I authorize my attorney to execute on my behalf any powers of attorney in whatever form that may be required by any stockbroker with whom I have deposited any securities.

- C. Additional Powers of Attorney. To execute other power of attorney forms on behalf of the principal which may be required by the Internal Revenue Service, financial or brokerage institutions, or others, naming the attorney hereunder as attorney-in-fact on such additional forms.
- **D. To Execute Disclaimers.** To execute disclaimers on my behalf under <u>I.R.C. § 2518</u> or any comparable section of any federal or state statute, notwithstanding that the exercise of such disclaimer may benefit my attorney-in-fact.
- E. To Receive Mail. To enter any mail box which I shall have hired, whether a United States Post Office box or elsewhere, and to surrender the box and terminate the lease at the attorney's discretion; to sign for any certified or registered mail directed to me; and to execute any order required to forward mail to any location selected by my attorney-infact.
- **F. To Make Contracts and Give Releases.** To make, receive, sign, endorse, execute, acknowledge, deliver, and possess such applications, contracts, agreements, options, covenants, security agreements, bills of sale, leases, mortgages, assignments, fire and casualty insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of exchange, letters of credit, notes, stock certificates, proxies, warrants, commercial paper, receipts, proofs of loss, evidences of debt, releases, and satisfaction of mortgages, liens, judgments, security agreements, and other debts and obligations and such other instruments in writing of whatever kind and nature as may be necessary and proper in the exercise of the rights and powers herein granted.

J3M

- G. To Effect My Resignation As a Member, Officer or Fiduciary. To effect my resignation as a member or officer of any organization or entity, or as a trustee, personal representative, or other fiduciary or an estate or trust, however denominated.
- H. To Make Gifts. To make annual gifts no greater than the applicable federal gift tax exclusion amount to each or any of my spouse, children, and issue of my children, or other persons who are possible recipients of assets upon my death, all as my said attorney shall determine to be consistent with my wishes, consistent with any prior pattern or history of gifts to, or testamentary provisions for, such persons, and prudent in light of my resources and needs. If my attorney makes gifts to minors, such gifts may be made under the Tennessee Uniform Transfers to Minors Act, T.C.A. § 35-7-201 to T.C.A. § 35-7-226.

III Other Acts.

Without limiting the foregoing, generally to take any and all actions on my behalf as fully and effectively as if I were personally present. In conferring this general Power of Attorney on Idava Larson Beach and Gary Brent Larson, I am fully aware of the broad authority being granted and express my full confidence in my attorneys-in-fact.

IV. Ratification of Acts and Third-Party Reliance

I ratify and confirm all acts my attorneys-in-fact do or causes to be done under this Durable Power of Attorney. All third parties acting in good faith reliance on this power shall be absolved of any liability pursuant to the provisions of the Uniform Durable Power of Attorney Act.

V. Appointment of Legal Representative.

I do not want a legal representative (i.e., a conservator, guardian, or other similar representative appointed by the court) because one should not be necessary. However, if a legal representative is to be appointed, to the extent that the law allows me to do so, I nominate my attorneys-in-fact, Idava Larson Beach and Gary Brent Larson, to serve as my legal representatives. If the law does not permit me to so nominate, I request in the strongest possible terms that the court give the greatest possible weight to this request. In the event my attorneys-in-fact die, become disabled, or are otherwise unable to serve, I nominate my successor attorney-in-fact to serve in this capacity. I excuse any legal representative appointed from bond.

VI. Effective Date, Duration, or Termination.

This power will become effective on the date this instrument is signed and will remain in full force and effect until it is revoked by written notice duly recorded in the Register's Office of Rutherford County, Tennessee, or until expiration by operation of law, it being intended that this Power of Attorney will remain in effect even in the event of mental or physical disability on my part.

VII. Revocation.

Durable Power of Attorney for Joan B. Martin Page 4 of 5

I revoke all previous Powers of Attorney I have given to any person or persons.

VIII. Resignation.

My attorney-in-fact may resign at any time and may prove the resignation by filing an Instrument of Resignation in the Register's Office of Rutherford County, Tennessee.

IX. Photocopies.

All photocopies of this document shall have the same validity as the original.

Joan B. Marti

Witness 1

STATE OF TENNESSEE

Rutherford OF RUTHERFORD

Before me, a notary public in and for said state and county, duly commissioned and qualified, personally appeared, Joan B. Martin, the Principal, to me known to be the person described herein and who executed the foregoing Durable Power of Attorney, and acknowledged that she executed the same as her free act and deed; and sworn to and day of Agy of LARO CAROLLING TO LARO CAROLLING TO LARO CAROLLING TO LARO CAROLLING TO LAROLLING subscribed by the witnesses and.

My commission expires:

Heather Dawbarn, Resister Rutherford County Tennessee

Instrument #: 1848403

Record Book 1224 Pas 3455-3459

Durable Power of Attorney for Joan B. Martin Page 5 of 5