

CFR 0766

Mr. and Mrs. Wayne H. Smith

LINN

APPLICATION FOR CENTURY FARM HONORS

Deadline for filing applications - May 1, 1985

PLEASE TYPE OR PRINT:

Your name: Mr. and Mrs. Wayne H. Smith

Your Address: 28003 Creek Bend Road - Halsey, Oregon 97348

Location of Farm: 28008 Creek Bend Road - Halsey, Oregon Linn County, Oregon

To qualify as a Century Farm, a farm must have not less than 10 acres with a gross income from farm use of not less than \$500 per year for three out of the five years immediately preceding application for Century Farm Honors. Does your farm meet this qualification? YES

Name of family member who was founder or original owner of farm: THOMAS FLEMING SMITH (brother of John P. Smith DLC #812).

Year founder settled on farm 1875 Where did he come from? VIRGINIA

Who farms land today? Mr. and Mrs. Wayne H. Smith

Relationship to original owner: GRANDSON

Are any of the original building still in use? If so which ones? SMOKE HOUSE

If you know crops or livestock raised on farm One Hundred Years ago, please list: SHEEP, HORSES, CATTLE, PIGS, CHICKENS, OATS, WHEAT, BARLEY.

What do you raise on farm today? RYE GRASS SEED

How many generations live on the farm today, Names. WAYNE H. SMITH (1 only)

How many times has the original farm been divided? ONCE

Do you declare that the statements made above are accurate and correct to the best of your knowledge? YES

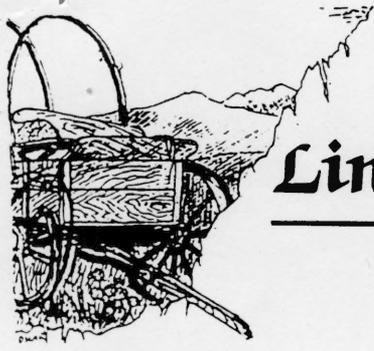
Wayne H. Smith
Signature of Owner

Please return form to:

Elizabeth W. Buchler, Field Historian
Oregon Historical Society
1230 S. W. Park Avenue
Portland, Oregon 97205

ack
4/26/85

CFR0766



Linn Benton Genealogical Services

1111 S.E. Bain
Albany OR 97321
(503) 928-2582

April 25, 1985

Mr. & Mrs. Wayne H. Smith
28008 Creek Bend Road
Halsey, Oregon 97348

Dear Mr. & Mrs. Smith:

Ref: Application for century Farm Honors on your present farm occupied by you.

John P. & wife Elizabeth S. Young Smith arrived in Oregon Territory according to their application for a Donation Land Claim on the 29, August 1852 and settled on their claim on the 19th, January 1853. President Andrew Johnson signed a certificate numbered #812 on the eighth (8th) day of December 1865 giving title to the above John P. & wife Elizabeth Smith. Consisting of 320.48 acres located in Township 13S Range 4W, in Sections 27, 28, 33 and 34.

On the 24th, day of September 1875 John P. Smith & wife entered into an agreement to sell their property to John P. Smith's brother, Thomas F. Smith. A deed of record was issued & recorded on the 11th, day of February 1880, transferring title to Thomas F. Smith.

Thomas Fleming & wife Martha J. Patton Smith always retained ownership of the farm. They were married on the 23, April 1867 in Illinois and raised the following children: Klva Nesbeth b/12, April 1868 in Illinois, he married Minnie Myrtle Mazwell 1, September 1896 in Oregon; Martha Naoma b/7, May 1871 in Illinois, she married Isaac Newton Smith 20, April 1892 (son of Isaac Newton Smith & Josephine S. Gray) later divorced; Margaret J. b/7, May 1871 in Illinois (twins) married Charles W. Gibson 28, May 1890 in Oregon; Hadessa b/13, December 1874 in Illinois, married William P. Wahl 21, March 1901 in Oregon & 2nd/J. S. Northrup in 1937; Nathaniel C. b/1, July 1877 in Oregon, married May M. Farrell 1, January 1908 in Oregon. Thomas F. and wife Martha J. Smith came to Oregon in 1875 from Illinois. He had served in the Civil War.

Thomas Fleming Smith passed away on the 8th, January 1922 in Oregon and his wife had preceeded him in death on 19th, June 1911 in Oregon.

Nathaniel C. & wife May M. Farrell Smith remained on the farm when his death occurred on 24th, February 1924, leaving a wife May, & two sons Wayne and Fleming. In 1923 several transactions of land were underway between heirs of Thomas Fleming Smith and from these transactions the title to the farm was retained by Nathaniel C. & wife May M. Farrell Smith. upon his death of (Nathaniel C.) 1924 the land was in title by his widow & two sons Wayne & Fleming two batchelors.

May Margaret, widow of Thomas C. Smith, was remarried to a man by the name of Webber. On the 30th day of October 1963 by deed she transferred by Bargain & Sale Deed to her son Wayne H. Smith, single, an undivided one-fourth interest in the farm.

Probate No. 12211, of Mae (May) Margaret Weber transferred her interest remaining in the farm to Wayne H. and Fleming F. Smith her sons, who were batchelors. In the course of the probate Fleming Ferrell Smith passed away leaving the entire farm in title to Wayne H. Smith.

The Smith descendents have always occupied the farm and have continued to farm, raising livestock and grains in the past to Rye Grass Seed presently.

The attached documents and papers shuld prove that you are entitled A Century Farm Honor, in Linn County, State of Oregon.

The original calim of 320.48 acres is now reduced to 307.05 acres through County Roads and the Railroad Right-of way. The original farm was once divided between heirs but title has been retained by descendents of the Smith Family.

The title now rests in Wayne H. Smith who resides on the farm.

Sincerely,



Richard R. Milligan

Encl: Documents found

- 1 - copy of original DLC Certificate #812.
- 2 - copy of agreement from John P. Smith to Thomas F. Smith (a brother)
- 3 - copy of Deed of Record from John P. Smith & Wife to Thomas F. Smith.
- 4 - copy of three deeds #67970 - #68082 - 68083 a parcel of the land consisting of 157.20 acres.
- 5 - copy of Bargain & Sale Deed from Mae (May) Margaret Smith to son Wayne H. Smith. dated 1963.
- 6 - copy of Probate Department Linn County, Oregon - Final Account & Petition for Distribution of Estate of Mae (May) Margaret Weber, deceased.
- 7 - copies of maps and legal descriptions.

1

1865

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, greeting:

Whereas, There has been deposited in the GENERAL LAND OFFICE of the UNITED STATES a Certificate numbered Eight hundred and twelve _____ of the Receiver at Oregon City, Oregon, whereby it appears that under the provisions of the act of Congress approved the 27th day of September, 1850, entitled "An act to Surveyor General of the Public Lands in Oregon, and to provide for the survey and to make donations to settlers of the said Public Lands," and the legislation supplemental laws of John Smith and his wife Elizabeth Smith of Finn County, Oregon, Identification No. 2582, has been established _____

to a donation of one half section, of three hundred and twenty _____ acres of land, and that the same has been made as claim number fifty five, being parts of sections twenty seven, twenty eight, thirty three and thirty four, in Township thirteen South of Range _____ according to the Official Plat of Survey returned to the GENERAL LAND OFFICE by _____ being bounded and described as follows, to wit: Beginning at a point seven chains South and nineteen chains and forty two links South West corner of said section twenty seven and running thence North forty two chains and ninety five links thence East seventy four chains and one South forty three chains and thence West seventy four chains and sixty five links to the place of beginning, in the District of lands _____ at Oregon City, Oregon, containing three hundred and twenty acres and forty eight hundredths of an acre. _____

Now know ye, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the provisions of the act aforesaid, HAVE GIVEN AND GRANTED, and by _____ E AND GRANT, unto the said John Smith and to his heirs the West half and unto his wife the said Elizabeth Smith and to her heirs the _____ the tract of land above described: _____ To have and to hold the said tract, with the appurtenances, unto the said John Smith _____ Elizabeth Smith _____ and to their heirs and assigns forever, their respective portions aforesaid _____

In testimony whereof, J. Andrew Johnson, _____ PRESIDENT OF THE UNITED STATES, have caused these Letters to be made Patent, _____ the GENERAL LAND OFFICE to be hereunto affixed.

Given under my hand, at the CITY OF WASHINGTON, this eighteenth day of December _____, in the year of our Lord one thousand eight hundred and sixty five _____ and of the Independence of the United States the fiftieth. _____

BY THE PRESIDENT: Andrew Johnson

By

Secretary. Recorder of the General Land Office.

This Indenture Witnesseth, That

John P. Smith and *E. S. Smith* his wife
 for the consideration of the sum of *\$ 95 40 =* Dollars,
 to us paid, have bargained and sold, and by these presents do bargain, sell and
 convey unto *Thos. J. Smith* the following described prem-
 ises, to-wit:

*Beginning at a point seven chains
 North, and nineteen chains (19) and forty two (42) links
 West from the south West corner of section
 twenty seven (27) and running thence North
 forty two chains (42) and ninety five links (95)
 thence East seventy four (74) chains and fifty (50)
 links thence South five chains (5) fifty links (50) thence
 East (6) chains and thirty links (30) thence South twenty seven chain
 (27) fifty links (50) thence West one chain (1) and thirty links
 seven chains (7) thirty seven (37) links. thence
 south ten chains (10) thence West sixty
 eight (68) chains thirty four (34) links to
 the place of beginning*

Basic

To Have and to Hold The said premises, with their appurtenances, unto the
 said *Thos. J. Smith* his heirs and assigns forever. And
 the said *John P. Smith* do hereby covenant to
 and with the said *Thos. J. Smith* his heirs and assigns,
 that he is the owner in fee simple of said premises, that they are free from all
 incumbrances, and that he will warrant and defend the same from all lawful claims
 whatsoever.

In Witness Whereof we have hereunto set our hands and seals, this 24 day
 of *September* A. D. 1875
 DONE IN PRESENCE OF

Philip G. Smith
H. L. Reed

John P. Smith
E. S. Smith

**State of Oregon, } Ss.
County of Linn,**

On this the 24 day of September A. D. 1875 personally came before me, a Justice of the Peace in and for said County, the within named John P. Smith and E. S. Smith his wife, to me known to be the identical persons described in, and who executed the foregoing conveyance, and acknowledged to me that they executed the same freely, for the uses and purposes therein named. And the said E. S. Smith on examination separate and apart from her said husband, acknowledged to me that she executed the same freely and without fear or compulsion from any one.

Witness my hand and seal this 24 day of September A. D. 1875

Philips Grigley
Justice of the Peace

Warranty Deed

From John P. Smith et al
to Eos Y. Smith

STATE OF OREGON }
COUNTY OF LINN }
I certify that the within was received and duly registered by me in the Linn County Records, Book of Deeds, Vol 26 Page 196 on the 11th day of February 1870
James C. Crocker
County Clerk

Paid

368
231
100
5
250
500
130
500
125
500
100
4750

7550
0764
7286

DEED RECORD 1880

John P. Smith et al

Filed on the 11th day of February 1880

Deed to

James L. Cronan County Clerk.

Mrs F. Smith

This Indenture Witnesseth, that John P. Smith

and E. S. Smith his wife, for the consideration of the sum of \$2540.00 dollars, to Mrs F. Smith paid, have bargained and sold, and by these presents do bargain, sell and convey unto the following described premises, to wit:

Beginning at a point on section chain north and section chains and July two 42 links west from the center west corner of section twenty seven (27) and running thence north July two chains (22) and ninety five links (95) thence east seventy four (74) chains and fifty (50) links thence south July two chains (22) thence east 111 chains and sixty six links (66) thence north twenty seven chains 27 fifty links (50) thence west seven chains (7) ninety seven (97) links thence south ten chains (10) thence west sixty eight (68) chains thence (22) links to the place of beginning

To Have and to Hold The said premises with their appurtenances, unto the said Mrs F Smith her heirs and assigns forever. And the said John P. Smith do hereby covenant to and with the said Mrs F. Smith her heirs and assigns, that he is the owner in fee simple of said premises; that they are free from all incumbrances, and that he will Warrant and Defend the same from all lawful claims whatsoever.

In Witness Whereof, we have hereunto set our hands and seals, this 24th day of September A. D. 1875

Done in Presence of Philip Langley H. L. Ruddle John P. Smith Elizabeth Smith

State of Oregon, County of Lincoln

On this the 24th day of September A. D. 1875, personally came before me, a Justice of the Peace in and for said County, the within named John P. Smith and E. S. Smith his wife, to me known to be the identical person described in, and who executed the foregoing conveyance, and acknowledged to me that they executed the same freely, for the uses and purposes therein named. And the said E. S. Smith on examination separate and apart from her said husband, acknowledged to me that she executed the same freely, and without fear or compulsion from any one.

Witness my hand and Seal this 24th day of September A. D. 1875 Philip Langley Justice of the Peace

Recorded February 11th 1880 James L. Cronan Clerk.

#4

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#68082 Quitclaim Deed. Filed Jan. 22nd, 1923 at 3:35 o'clock P. M.
Smith and wife, -to- Bender.

THIS INDENTURE WITNESSETH, That we, Nathan C. Smith and Mae Margaret Smith, his wife, for the consideration of the sum of Ten Dollars to us paid, have bargained, sold and quitclaimed, and by these presents do bargain, sell and quitclaim unto Mary Bender the following described premises, to-wit:

Beginning at an iron plow shear on the North line of and East 36.50 chains distant from the Northwest corner of the Donation Land Claim of John P. Smith, same being Notification No. 2582 and Claim No. 55 in Township 13 South Range 4 West of the Willamette Meridian, Oregon; thence East 38.20 chains to the Northeast corner of said Claim No. 55; thence South along the East line of said Claim 5.50 chains; thence East 1.66 chains; thence South parallel with East line of said Claim 27.64 chains to an iron pipe which is North 10.00 chains distant and East 1.66 chains distant from the Southeast corner of said Claim No. 55; thence West parallel with South line of said Claim 7.97 chains to an iron pipe; thence South parallel with East line of said Claim 10.00 chains to an iron rod in the South line of said Claim; thence West 32.19 chains to an iron bar which is East 24.93 chains distant from the Northwest corner of the D. L. C. of D. W. Allingham being Claim No. 54 in said Township and Range; thence North 43.10 chains to the place of beginning, containing 163.74 acres, more or less, save and excepting therefrom 6.54 acres sold to the Oregon Electric R. R. Co. recorded in Volume 98, page 381 of Deed Records of Linn County, Oregon, and leaving 157.20 acres all lying in Linn County, State of Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Mary Bender her heirs and assigns forever

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 22nd day of January, 1923.

DONE IN THE PRESENCE OF)
G. E. Sox) Nathan C. Smith (SEAL)
E. F. Sox) Mae Margaret Smith (SEAL)
STATE OF OREGON,
County of Linn)ss.

On this 22nd day of January, A. D. 1923 personally came before me a Notary Public in and for said County, the within named Nathan C. Smith and Mae Margaret Smith, his wife to me known to be the identical persons described in and who executed the foregoing conveyance and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein named.

WITNESS my hand and Notarial Seal this 22nd day of January, A. D. 1923.
C. E. Sox
Notary Public for Oregon
My Commission Expires Jan. 18, 1924.

[Handwritten scribble]

461 126 Page 366 (L.S.)
00000
#68083 Quitclaim Deed. Filed Jan. 22nd, 1923 at 3:36 o'clock P. M.
Bender, -to- Smith and wife.

THIS INDENTURE WITNESSETH, That I, Mary Bender, unmarried, for the consideration of the sum of Ten Dollars to me paid, have bargained, sold and quitclaimed, and by these presents do bargain, sell and quitclaim unto Nathan C. Smith and Mae Margaret Smith, his wife, the following described premises, to-wit:

Beginning at an iron plow shear on the North line of and East 36.50 chains distant from the Northwest corner of the Donation Land Claim of John P. Smith, same being Notification No. 2582 and Claim No. 55 in Township 13 South Range 4 West of the Willamette Meridian, Oregon; thence East 38.20 chains to the Northeast corner of said Claim No. 55; thence South along the East line of said Claim 5.50 chains; thence East 1.66 chains; thence South parallel with East line of said Claim 27.64 chains to an iron pipe which is North 10.00 chains distant and East 1.66 chains distant from the Southeast corner of said Claim No. 55; thence West parallel with South line of said Claim 7.97 chains to an iron pipe; thence South parallel with East line of said Claim 10.00 chains to an iron rod in the South line of said Claim; thence West 32.19 chains to an iron bar which is East 24.93 chains distant from the Northwest corner of the D. L. C. of D. W. Allingham being Claim No. 54 in said Township and Range; thence North 43.10

chains to the place of beginning, containing 163.74 acres, more or less, save and excepting therefrom 6.54 acres, sold to the Oregon Electric R. R. Co. recorded in Volume 98, Page 381 of Deed Records of Linn County, Oregon, and leaving 157.20 acres all lying in Linn County, State of Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Nathan C. Smith and Mae Margaret Smith, his wife, their heirs and assigns forever

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 22nd day of January, 1923.

Done in the Presence of)
C. E. Sox) Mary Bender
E. F. Sox)
STATE OF OREGON,
County of Linn)ss.

On this 22nd day of January, A. D. 1923 personally came before me a Notary Public in and for said County, the within named Mary Bender, unmarried, to me known to be the identical person described in and who executed the foregoing conveyance and acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein named.

WITNESS my hand and Notarial Seal this 22nd day of January, A. D. 1923.
C. E. Sox
Notary Public for Oregon
My Commission Expires Jan. 18, 1924.

(L.S.)

00000
#68082 Quitclaim Deed. Filed Jan. 22nd, 1923 at 3:35 o'clock P. M.
Smith and wife, -to- Bender.

THIS INDENTURE WITNESSETH, That we, Nathan C. Smith and Mae Margaret Smith, his wife, for the consideration of the sum of Ten Dollars to us paid, have bargained, sold and quitclaimed, and by these presents do bargain, sell and quitclaim unto Mary Bender the following described premises, to-wit:

Beginning at an iron plow shear on the North line of and East 36.50 chains distant from the Northwest corner of the Donation Land Claim of John P. Smith, same being Notification No. 2582 and Claim No. 55 in Township 13 South Range 4 West of the Willamette Meridian, Oregon; thence East 38.20 chains to the Northeast corner of said Claim No. 55; thence South along the East line of said Claim 5.50 chains; thence East 1.66 chains; thence South parallel with East line of said Claim 27.64 chains to an iron pipe which is North 10.00 chains distant and East 1.66 chains distant from the Southeast corner of said Claim No. 55; thence West parallel with South line of said Claim 7.97 chains to an iron pipe; thence south parallel with East line of said Claim 10.00 chains to an iron rod in the South line of said Claim; thence West 32.19 chains to an iron bar which is East 24.93 chains distant from the Northwest corner of the D. L. C. of D. W. Allingham being Claim No. 54 in said Township and Range; thence North 43.10 chains to the place of beginning, containing 163.74 acres, more or less, save and excepting therefrom 6.54 acres, sold to the Oregon Electric R. R. Co. recorded in Volume 98, page 381 of Deed Records of Linn County, Oregon, and leaving 157.20 acres all lying in Linn County, State of Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Mary Bender her heirs and assigns forever

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 22nd day of January, 1923,

DONE IN THE PRESENCE OF)
C. E. Sox) Nathan C. Smith (SEAL)
E. F. Sox) Mae Margaret Smith (SEAL)

STATE OF OREGON,
County of Linn)ss.

On this 22nd day of January, A. D. 1923 personally came before me a Notary Public in and for said County, the within named Nathan C. Smith and Mae Margaret Smith, his wife to me known to be the identical persons described in and who executed the foregoing conveyance and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein named.

WITNESS my hand and Notarial Seal this 22nd day of January, A. D. 1923.

C. E. Sox
Notary Public for Oregon
My Commission Expires Jan. 16, 1924.

00000
#68083 Quitclaim Deed. Filed Jan. 22nd, 1923 at 3:36 o'clock P. M.
Bender, -to- Smith and wife.

THIS INDENTURE WITNESSETH, That I, Mary Bender, unmarried, for the consideration of the sum of Ten Dollars to me paid, have bargained, sold and quitclaimed, and by these presents do bargain, sell and quitclaim unto Nathan C. Smith and Mae Margaret Smith, his wife, the following described premises, to-wit:

Beginning at an iron plow shear on the North line of and East 36.50 chains distant from the Northwest corner of the Donation Land Claim of John P. Smith, same being Notification No. 2582 and Claim No. 55 in Township 13 South Range 4 West of the Willamette Meridian, Oregon; thence East 38.20 chains to the Northeast corner of said Claim No. 55; thence South along the East line of said Claim 5.50 chains; thence East 1.66 chains; thence South parallel with East line of said Claim 27.64 chains to an iron pipe which is North 10.00 chains distant and East 1.66 chains distant from the Southeast corner of said Claim No. 55; thence West parallel with South line of said Claim 7.97 chains to an iron pipe; thence south parallel with East line of said Claim 10.00 chains to an iron rod in the South line of said Claim; thence West 32.19 chains to an iron bar which is East 24.93 chains distant from the Northwest corner of the D. L. C. of D. W. Allingham being Claim No. 54 in said Township and Range; thence North 43.10

chains to the place of beginning, containing 163.74 acres, more or less, save and excepting therefrom 6.54 acres, sold to the Oregon Electric R. R. Co. recorded in Volume 98, Page 381 of Deed Records of Linn County, Oregon, and leaving 157.20 acres all lying in Linn County, State of Oregon.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Nathan C. Smith and Mae Margaret Smith, his wife, their heirs and assigns forever

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 22nd day of January, 1923.

Done in the Presence of)
C. E. Sox)
E. F. Sox) Mary Bender

STATE OF OREGON,
County of Linn)ss.

On this 22nd day of January, A. D. 1923 personally came before me a Notary Public in and for said County, the within named Mary Bender, unmarried, to me known to be the identical person described in and who executed the foregoing conveyance and acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein named.

WITNESS my hand and Notarial Seal this 22nd day of January, A. D., 1923.

C. E. Sox
Notary Public for Oregon
My Commission Expires Jan. 16, 1924.

(L.S.)

Handwritten: Valid -

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BOOK 298 PAGE 228

KNOW ALL MEN BY THESE PRESENTS, That MAE M. WEBER, also known as
Mae Margaret Weber, formerly
Mae Margaret Smith, single
in consideration of ONE AND NO/100 (and other valuable consideration) Dollars,
to me paid by WAYNE H. SMITH, single
do hereby grant, bargain, sell and convey unto said WAYNE H. SMITH, single

his heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Linn and State of Oregon, bounded and described as follows, to-wit:

An undivided one-fourth interest in and to the following described real property:

Beginning at an iron plow shear on the North line of and East 36.50 chains distant from the NW corner of the DLC of John P. Smith, same being Not. No. 2582 and Claim No. 55 in T. 13 S. R. 4 W. of the WM, Oregon; thence East 38.20 chains to the NE corner of said Claim No. 55; thence South along the East line of said Claim 5.50 chains; thence East 1.66 chains; thence south parallel with East line of said Claim 27.64 chains to an iron pipe which is North 10.00 chains distant and East 1.66 chains distant from the SE corner of said Claim No. 55; thence West parallel with South line of said Claim 7.97 chains to an iron pipe; thence South parallel with East line of said Claim 10.00 chains to an iron rod in the South line of said Claim; thence West 32.19 chains to an iron bar which is East 24.93 1/2 chains distant from the NW corner of the DLC of D.W. Allingham being Claim No. 54 in said Township and Range; thence North 43.10 chains to the place of beginning, containing 163.74 acres, more or less, save and excepting therefrom 6.54 acres sold to the Oregon Electric R.R. Co. recorded in Vol. 98, pg. 381 of Deed Records of Linn County, Oregon, and leaving 157.20 acres all lying in Linn County, State of Oregon.

ALSO: Beginning at the NW corner of John P. Smith DLC No. 55 in T. 13 S. R. 4 W. and running thence East 36 chains; thence South 42.5 chains to center of the County Road; thence West 36 chains to the SW corner of DLC #55; thence North 42.5 chains to point of beginning in Sections 27, 28, 33 and 34 in T. 13 S. R. 4 W., WM.

Beginning at the Northwest corner of the Donation Land Claim of John P. Smith, Notification 2582 and Claim 55 in Township 13 South of Range 4 West of the Willamette Meridian, Oregon, and running from thence East along the North line of said Claim 74.70 chains to the Northeast corner of said Claim; Thence South along the East line of said Claim 5.50 chains; Thence East 1.66 chains; Thence South parallel with the East line of said Claim 27.64 chains to an iron pipe which is north 10.00 chains distant and East 1.66 chains distant from the Southeast corner of said Claim; Thence West parallel with the South line of said Claim 7.97 chains to an iron pipe; Thence South parallel with the East line of said Claim 10.00 chains to an iron rod in the South line of said Claim; Thence West 57.12 1/2 chains to the Northwest corner of the D.L.C. of D.W. Allingham, being Claim 54 in said Township and Range; Thence West 11.56 1/2 chains to the Southwest corner of said Claim No. 55; Thence North 43.03 chains to the place of beginning containing 320.94 acres more or less in Linn County, Oregon, save and excepting therefrom 6.54 acres, sold to the Oregon Electric R.R. Co. recorded in Vol. 98, page 381 of the Deed Records of said county, and leaving 314.40 acres, all lying in Linn County, Oregon.

hand and seal this 30th day of October, 1963

Mae M. Weber (SEAL)
 _____ (SEAL)
 _____ (SEAL)
 _____ (SEAL)

KNOW ALL MEN BY THESE PRESENTS, That MAE M. WEBER, also known as
Mae Margaret Weber, formerly
Mae Margaret Smith, single
in consideration of --ONE AND NO/100 (and other valuable consideration)--Dollars,
to me paid by WAYNE H. SMITH, single

do hereby grant, bargain, sell and convey unto said WAYNE H. SMITH, single
his heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the
County of Linn and State of Oregon, bounded and described as follows, to-wit:

An undivided one-fourth interest in and to the following described real property:
Beginning at an iron plow shear on the North line of and East 36.50 chains distant from the NW corner of the DLC of John P. Smith, same being Not. No. 2582 and Claim No. 55 in T. 13 S. R. 4 W. of the WM, Oregon; thence East 38.20 chains to the NE corner of said Claim No. 55; thence South along the East line of said Claim 5.50 chains; thence East 1.66 chains; thence South parallel with East line of said Claim 27.64 chains to an iron pipe which is North 10.00 chains distant and East 1.66 chains distant from the SE corner of said Claim No. 55; thence West parallel with South line of said Claim 7.97 chains to an iron pipe; thence South parallel with East line of said Claim 10.00 chains to an iron rod in the South line of said Claim; thence West 32.19 chains to an iron bar which is East 24.93 1/2 chains distant from the NW corner of the DLC of D.W.Allingham being Claim No. 54 in said Township and Range; thence North 43.10 chains to the place of beginning, containing 163.74 acres, more or less, save and excepting therefrom 6.54 acres sold to the Oregon Electric R.R.Co. recorded in Vol. 98, pg. 381 of Deed Records of Linn County, Oregon, and leaving 157.20 acres all lying in Linn County, State of Oregon.
ALSO: Beginning at the NW corner of John P. Smith DLC No. 55 in T. 13 S. R 4 W and running thence East 36 chains; thence South 42.5 chains to center of the County Road; thence West 36 chains to the SW corner of DLC #55; thence North 42.5 chains to point of beginning in Sections 27, 28, 33 and 34 in T. 13 S. R. 4 W., WM.

(NO STAMP VALUE)

TO HAVE AND TO HOLD, the above described and granted premises unto the said
WAYNE H. SMITH, single
his heirs and assigns forever.

IN WITNESS WHEREOF, I the grantor above named hereunto set my
hand and seal this 23rd day of January, 1964.

Mae M. Weber (SEAL)
(SEAL)
(SEAL)
(SEAL)

222765 ✓ *Orig 27-13-4W*

11-12-63
10-30-63
DEED B&S
298/228
\$1.00 ovc

MAE M. WEBER, aka MAE MARGARET WEBER, formerly
MAE MARGARET SMITH, single
to
WAYNE H. SMITH, single

... g b s c ... all the frp... sit in the co of Li and S of O,
bdaf, to-wit:

17
Fig. 270340 U.S.S. 72

An undivided one-fourth int in and to the folg descd rp:
Begg at an iron plow shear on the N line of and E 36.50 chs
distant from the NW corner of the DLC of John P. Smith, same
being Not. No. 2582 and Claim No. 55 in T 13 S, R 4 W of the WM,
Oregon; th E 38.20 chs to the NE corner of sd Claim No. 55; th S
along the E line of sd Claim 5.50 chs; th E 1.66 chs; th S parallel
with E line of sd Claim 27.64 chs to an iron pipe which is N 10.00
chs distant and E 1.66 chs distant from the SE corner of sd Claim
No. 55; th W parallel with S line of sd Claim 7.97 chs to an iron
pipe; th S parallel with E line of sd Claim 10.00 chs to an iron
rod in the S line of sd Claim; th W 32.19 chs to an iron bar
which is E 24.93½ chs distant from the NW corner of the DLC of
D. W. Allingham being Claim No. 54 in sd T and R; th N 43.10 chs
to the pob, containing 163.74 acres, m/l, save and excepting
therefrom 6.54 acres sold to the Oregon Electric R.R. Co. recdd
in Vol. 98, pg 381 of DR of Li Co, O, and leaving 157.20 acres all
lying in Li Co, S of O
ALSO: Begg at the NW corner of John P. Smith DLC No. 55 in

T 13 S, R 4 W and running th E 36 chs; th S 42.5 chs to center of
the co road; th W 36 chs to the SW corner of DLC #55; th N
42.5 chs to pob in Secs 27, 28, 33 and 34 in T 13 S, R 4 W, WM.

Fig. 270340 U.S.S. 72

S & A

Return to: Morley, Thomas & Crona, Attys., Lebanon, Ore.

6

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF LINN

Probate Department

By ^{D.L.} Eileen M. Rice

1 IN THE MATTER OF THE ESTATE) No. 12211)
 2))
 3))
 4 of) FINAL ACCOUNT AND PETITION)
 5)) FOR ORDER AUTHORIZING)
 6 MAE MARGARET WEBER, deceased) DISTRIBUTION OF ESTATE)

Petitioner alleges:

7 That Wayne Harvey Smith and Fleming Ferrell Smith were appointed
 8 co-personal representatives of the above estate by the Will of the
 9 decedent and by the court, and Letters Testamentary were issued to said
 10 two parties on January 12, 1973. That said parties entered into the
 11 probate of the estate and filed an Inventory herein and thereafter an
 12 Amended Inventory showing a total estate to be accounted for in the
 13 sum of \$97,123.67.

14 That both federal and state of Oregon estate tax returns were
 15 filed by the co-personal representatives and all said taxes have been
 16 paid. That the receipt of the Dept. of Revenue State of Oregon show-
 17 ing all inheritance taxes paid, is filed herewith.

18 That an Amended Receipt and Certificate of the Dept. of Revenue
 19 showing all income taxes paid, has also been filed herein.

20 That the primary assets belonging to decedent at the time of her
 21 death consisted of certain real property described in the Will of the
 22 deceased, the Amended Inventory herein, and Exhibit "B" attached to
 23 this Final Account.

24 That said real property vested in the devisees in accordance
 25 with the Will of the decedent upon the death of decedent pursuant to
 26 ORS 114.215.(1) (b). That at no time did the co-personal representa-
 tives deem it necessary to take control and possession of said real
 property under ORS 114.215, and in truth and in fact, the real property
 described in this Final Account and Exhibit "B" hereof, has been in
 possession and control of the respective devisees since the date of
 the death of the decedent.

That Parcel I, more fully described on Exhibit "B" herein, and
 also described in paragraph III of decedent's Will, has vested in
 Wayne Harvey Smith.

That Parcel II, more fully described on Exhibit "B" herein, and
 also described in paragraph IV of decedent's Will, being the property
 known as "The Hayes Place", has vested in Fleming Ferrell Smith.

That Fleming Ferrell Smith resigned as one of the co-personal
 representatives, said resignation being in writing and filed herein,
 bearing the date December 10, 1973. That thereafter, pursuant to

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 ATTORNEYS AT LAW
 60 E. MAPLE STREET
 LEBANON, OREGON 97355
 TELEPHONE 256-3194

1 ORS 113.205, Wayne Harvey Smith continued with the probate of the
2 estate and files this Final Account herewith.

3 That the receipts and disbursements in said estate are more
4 fully set forth in Exhibit "A" attached hereto and by reference made
5 a part hereof.

6 That under paragraph V of decedent's Will, the residue of the
7 estate, consisting of the personal property as described in the
8 inventory, vested in Wayne Harvey Smith.

9 That inasmuch as there were insufficient funds and personal
10 property on hand to pay the expenses of administration, the two
11 heirs and devisees were required to contribute to the expenses of
12 the estate. That this has been done as shown on Exhibit "A" attached.

13 That Fleming Ferrell Smith has become deceased since commencement
14 of this estate. That inasmuch as the real property devised to him by
15 the Will of Mae Margaret Weber, vested in him upon her death, and the
16 co-personal representatives have not taken possession thereof, it is
17 deemed unnecessary that any receipt be filed herein by Fleming Ferrell
18 Smith or his estate.

19 That the real property devised to Wayne Harvey Smith has also
20 passed to him by operation of law, and by this accounting he does
21 acknowledge that he has received his residuary share of the estate
22 and that said estate is now ready to be closed.

23 WHEREFORE, this petitioner prays the court for an order:

- 24 a) Approving this Final Account, and
- 25 b) Confirming the vesting of real property and disbursement
26 described in this accounting.

MORLEY, THOMAS, ORONA & KINGSLEY

By: Wm. R. Thomas
Wm. R. Thomas
Attorney for PR

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EXHIBIT "B"

PARCEL I: VESTED IN WAYNE SMITH

An undivided 1/2 interest in the following described property:

Beginning at an iron plow shear on the North line of and East 36.50 chs. distant from the NW corner of the DLC of John P. Smith, same being Not. No. 2582 & Cl No. 55 in T13S, R4W of the WM, Oregon; thence E 38.20 chs to the NE corner of said Cl #55; thence S along the E line of said Claim 5.50 chs; thence E 1.66 chs; thence S parallel with E line of said Claim 27.64 chs. to an iron pipe which is N 10.00 chs. distant and E 1.66 chs. distant from the SE corner of said Cl #55; thence W parallel with S line of said Claim 7.97 chs to an iron pipe; thence S parallel with E line of said Claim 10.00 chs. to an iron rod in the S line of said Claim; thence W 32.19 chs. to an iron bar which is E 24.93½ chs. distant from the NW corner of the DLC of D.W. Allingham being Cl #54 in said Township & Range; thence N 43.10 chs. to the place of beginning, containing 163.74 acres, more or less, save & excepting therefrom 6.54 acres sold to the Oregon Electric RR Co. recorded in Vol. 98, p381 of Deed Records of Linn County, Oregon, and leaving 157.20 acres all lying in Linn County, Oregon.

ALSO: Beginning at the NW corner of John P. Smith DLC #55 in T13S, R4W and running thence E 36 chs; thence S 42.5 chs. to center of the County Road; thence W 36 chs. to the SW corner of DLC #55; thence N 42.5 chs. to point of beginning in Sections 27, 28, 33 & 34 in T13S, R4W, WM.



11/12/85

Dear Ron,

Thanks again for presenting the Century Farm awards at our Finn County Historical Society meeting. I've probably heard from the Wayne Smiths of Sabey that they date their farm back to the 1850s - a problem I left for them to resolve with the OHS.

I was in Portland over the weekend to hear Byron Hobell Sat. am and at the

(over)

OHS annual luncheon Sunday. Needless to say, his emphasis on local history was especially well-received by us after devoting almost ten years to writing and publishing in that field. I see Oregon Imprints broke over previous rulings or guidelines to print "Redmond." We plan to keep in touch with you for help. Roy Clark Tenney of Albany concurs we need help unifying the various Albany and other historical groups with the Finn Co. Historical Society.

A Sincerely,
Original Margaret Carey