

## WARRANTY DEED

THIS INDENTURE made this 8 day of August, 1967,  
between

----CLYDE E. MILLER, individually, and CLYDE E. MILLER, as  
Conservator of the Estate of Josephine Marie Miller, also  
being Josephine M. Miller-----

as party of the first part, and

-----WILLIAM J. HYKE and ALBERTHA M. HYKE-----

as parties of the second part;

## WITNESSETH:

WHEREAS, Clyde E. Miller and Josephine M. Miller, on  
December 27, 1961, executed and delivered a certain real estate  
contract wherein they agreed to sell and convey the hereinafter  
described real property to William J. Hyke and Albertha M. Hyke;  
and

WHEREAS, thereafter Clyde E. Miller was appointed as  
Conservator of the Estate of Josephine Marie Miller and, on the  
8<sup>th</sup> day of August, 1967, the District Court of Garfield County,  
Colorado, made and entered an order requiring Clyde E. Miller, as  
Conservator of the Estate of Josephine Marie Miller, to make and  
execute a deed and specifically perform the contract hereinabove  
referred to; that said order of court is as follows:

"IN THE DISTRICT COURT IN AND FOR THE  
COUNTY OF GARFIELD AND STATE OF COLORADO  
NO. 10-3415

IN THE MATTER OF THE ESTATE OF )  
JOSEPHINE MARIE MILLER, )  
MENTAL INCOMPETENT. )

ORDER FOR SPECIFIC  
PERFORMANCE OF CONTRACT

"This matter coming on for hearing on the petition of  
Clyde E. Miller, the Conservator of the estate, for an order for  
specific performance, and it appearing therefrom that on December  
27, 1961, Clyde E. Miller and Josephine M. Miller made, executed,  
and delivered a certain contract for the sale and purchase of  
real estate wherein it was agreed that they would convey the  
described real property to William J. Hyke and Albertha M. Hyke of  
Skamania County, Washington; that all of the terms and conditions  
of the contract have been made and performed and the only thing  
left to be done is the conveyance of the real property; and the  
Court being well advised in the premises, it is

"ORDERED that Clyde E. Miller, <sup>as Conservator perform</sup> execute the contract with  
William J. Hyke and Albertha M. Hyke of Skamania County, Washing-  
ton, by executing a deed and convey all of the right, title, and  
interest owned by Josephine M. Miller, also being Josephine Marie

8/8/1967  
C.H.D.  
Judge

Miller, in and to the following described real property in Skamania County, State of Washington, and described as follows, to-wit:

"Beginning at the southwest corner of Section 8, Township 3 North, Range 8 E.W.M.; thence east along the south line of the said Section 8 a distance of 250 feet to the initial point of the tract hereby described; thence east along said south line 350 feet; thence north parallel to the west line of the said Section 8 to intersection with the southwesterly right of way line of State Highway No. 8-C as now constructed; thence northwesterly along said right of way line to a point north of the initial point; thence south to the initial point;

"EXCEPT that portion thereof conveyed to the State of Washington for right of way for relocation of State Secondary Highway No. 8-C by deed dated November 27, 1956, and recorded December 10, 1956, at page 44 of Book 43 of Deeds, Records of Skamania County, Washington, said tract being further described at page 3 of Book A of Highway Plats, Records of Skamania County, Washington.

to the purchasers William J. Hyke and Albertha M. Hyke.

"Dated at Glenwood Springs, Colorado, this 8<sup>th</sup> day of August, A. D. 1967.

CLIFFORD H. DARROW  
Judge

NOW, THEREFORE, the grantors Clyde E. Miller, individually, and Clyde E. Miller, as Conservator of the Estate of Josephine Marie Miller, for and in consideration of

---TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION-----

in hand paid, convey and warranty to William J. Hyke and Albertha M. Hyke, husband and wife, the following described real estate, situated in the County of Skamania, State of Washington, to-wit:

Beginning at the southwest corner of Section 8, Township 3 North, Range 8 E.W.M.; thence east along the south line of the said Section 8 a distance of 250 feet to the initial point of the tract hereby described; thence east along said south line 350 feet; thence north parallel to the west line of the said Section 8 to intersection with the southwesterly right of way line of State Highway No. 8-C as now constructed; thence northwesterly along said right of way line to a point north of the initial point; thence south to the initial point;

EXCEPT that portion thereof conveyed to the State of Washington for right of way for relocation of State Secondary Highway No. 8-C by deed dated November 27, 1956, and recorded December 10, 1956, at page 44 of Book 43 of Deeds, Records of Skamania County, Washington, said tract being further described at page 3 of Book A of Highway Plats, Records of Skamania County, Washington.

This deed is given in fulfillment of that certain real estate contract between the parties hereto dated December 27, 1961, and conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title, interest, or encumbrance arising by, through, or under the purchasers in said contract, and shall not apply to any taxes, assessments, or any other charges levied, assessed, or becoming due subsequent to the date of said contract.

Dated this 8<sup>th</sup> day of August, 1967.

Clyde E. Miller  
Clyde E. Miller, individually  
Clyde E. Miller  
Clyde E. Miller, as Conservator  
of the Estate of Josephine Marie  
Miller

STATE OF COLORADO, )  
COUNTY OF GARFIELD. ) ss.

On this day personally appeared before me Clyde E. Miller, individually, and Clyde E. Miller as Conservator of the Estate of Josephine Marie Miller, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same, individually, and as Conservator of the Estate of Josephine Marie Miller, as his free and voluntary act and deed, for the uses and purposes therein mentioned and that said deed was executed in his representative capacity as authorized by court order.

Given under my hand and official seal this 8<sup>th</sup> day of August, 1967.

Martha Mason  
Notary Public

commission expires April 25, 1970.

CERTIFICATE

I, Desmond D. Bertholf, Clerk of the District Court of Garfield County, Colorado, do hereby certify that the order of specific performance, as recited in the within and foregoing deed, is a full, true, and complete copy of said order as it remains of record and on file in my office.

Witness my hand and the seal of the District Court of Garfield County, Colorado, this 8<sup>th</sup> day of August, 1967.

DESMOND D. BERTHOLF

Clerk of the District Court

By Desmond D. Bertholf  
Deputy

TRANSACTION EXCISE TAX

SEP 27 1967

Amount Paid Paid Sub # 3578  
Michael O'Donnell  
Skamania County Treasurer

