

THIS INDENTURE, made this 11th day of October, 1955, by and between CENTRAL PACIFIC RAILWAY COMPANY, a corporation of the State of Utah, and its Lessee, SOUTHERN PACIFIC COMPANY, a corporation of the State of Delaware, first parties, and GEORGE A. FREID and ROSE M. FREID, his wife, second parties:

WITNESSETH:

That for a valuable consideration, the receipt whereof is hereby acknowledged, first parties do hereby grant, bargain, sell and convey unto second parties all that certain piece or parcel of land situate, lying and being in Lot 22, Section 15, Township 36 South, Range 7 East, Willamette Meridian, County of Klamath, State of Oregon, being all of the land described in deed dated June 27, 1945 from Lamm Lumber Company to Central Pacific Railway Company, recorded August 2, 1945 in Volume 178 of Deeds, Page 403, and more particularly described therein as follows:



BEGINNING at a point that is distant North 13° 11' 20" West, 1539.81 feet from the quarter corner common to Sections 15 and 22, said Township and Range, said point of beginning being also distant South 84° 10' 30" West, 84.00 feet from the originally located center line of main track of the Central Pacific Railway Company at Engineer Station 4313+65.28; thence South 84° 10' 30" West, 129.0 feet to a point; thence North 5° 32' West, 120.0 feet to a point; thence North 84° 10' 30" East, 129.0 feet to a point; thence South 5° 32' East, 120.0 feet to the point of beginning, containing an area of 0.355 of an acre, more or less, being a part of the land described in deed recorded on page 204, Volume 56, as included in Patent Number 802338, Deed Record Number 39461, United States to The Lamm Lumber Company, recorded May 5, 1921 in the County Recorder's office at Klamath Falls, Oregon.

EXCEPTING AND RESERVING, however, to Central Pacific Railway Company, its successors and assigns, forever, the title and exclusive right to all of the minerals and mineral ores of every kind and character now known to exist or hereafter discovered upon, within or underlying said land or that may be produced therefrom including, without limiting the generality of the foregoing, all petroleum, oil, natural gas and other hydrocarbon substances and products derived therefrom, together with the exclusive and perpetual right of said

Central Pacific Railway Company, its successors and assigns, of ingress and egress beneath the surface of said land to explore for, extract, mine and remove the same, and to make such use of the said land beneath the surface as is necessary or useful in connection therewith, which use may include lateral or slant drilling, boring, digging or sinking of wells, shafts or tunnels; provided, however, that said Central Pacific Railway Company, its successors and assigns, shall not use the surface of said land in the exercise of any of said rights and shall not disturb the surface of said land or any improvements thereon or remove or impair the lateral or subjacent support of said land or any improvements thereon.

In further consideration of the above, first parties do hereby quitclaim unto second parties all of the right, title and interest of first parties in and to that certain piece or parcel of land situate, lying and being in Lot 22, Section 15, Township 36 South, Range 7 East, Willamette Meridian, County of Klamath, State of Oregon, being all of the land described in that certain indenture dated June 27, 1945 from Lamm Lumber Company to Central Pacific Railway Company, recorded August 2, 1945, in Volume 178 of Deeds, Page 405, Records of the County of Klamath, and more particularly described therein as follows:

BEGINNING at a point that is distant North 13 degrees 11' 20" West, 1539.81 feet from the quarter corner common to Sections 15 and 22, said Township and Range, said point of beginning being also distant South 84 degrees 10' 30" West, 84.0 feet from the originally located center line of main track of the Central Pacific Railway Company at Engineer Station 4313+65.28; thence North 5 degrees 32' West 120.0 feet to a point; thence North 84 degrees 10' 30" East, 34.0 feet more or less to a point on the West line of the right of way of said Central Pacific Railway Company; thence South 5 degrees 32' East, 120.0 feet along said right of way line to a point; thence South 84 degrees 10' 30" West, 34.0 feet more or less to the place of beginning, containing 4,080 square feet. Subject to any rights which the public may have acquired for street or roadway purposes over said parcel.

TOGETHER with all and singular the tenements, hereditaments