

27939

## AGREEMENT TERMINATING LEASE

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THIS IS AN AGREEMENT dated April 20, 1977 between SAMUEL S. SHAW AND JAMES A. BINGHAM, SUCCESSORS TO ROBERT A. PYLE AND DOROTHY J. PYLE of Rt. 1, Box 922-H in Klamath Falls, Oregon ("Lessor", whether one or more), and SHELL OIL COMPANY, a Delaware corporation with offices at 1425 N.E. Irving Street in Portland, Oregon ("Shell");

RELATING to the Lease between Lessor (or Lessor's predecessor) and Shell (or Shell's predecessor) dated April 24, 1962, recorded by Memorandum of Lease in Book 337 of Deeds, Page 171, in the Office of the County Clerk of Klamath County, Oregon, and covering premises located at U.S. Highway 97 North of Klamath Falls, in Klamath Falls, Oregon in that County ("Premises"), as supplemented, amended and/or extended ("Lease").

1. THE LEASE is hereby terminated, effective as of April 30, 1977.

2. EACH OF Lessor and Shell releases the other, as of the date of this Agreement, from all claims which each now has against the other (whether or not known to either) arising directly or indirectly under, out of or in connection with the Lease; but Shell reserves its rights under the Lease to remove its property from the Premises.

3. LESSOR (a) acknowledges that there are, on the Premises, underground storage tanks and/or other equipment which may contain flammable, explosive and/or toxic liquids or vapors, and (b) agrees to indemnify Shell against any claims, suits, liabilities and expenses on account of personal injury or death or property damage arising out of or happening in connection with such tanks or other equipment, after the effective date of the Lease's termination.

EXECUTED as of the date first herein specified:

WITNESSES to Lessor's execution:

Samuel S. Shaw (SEAL)  
SAMUEL S. SHAW

James A. Bingham (SEAL)  
JAMES A. BINGHAM  
(NO LONGER A PARTNER)

WITNESSES to Shell's execution:

Shell Oil Company  
SHELL OIL COMPANY

By M.P. Staropoli  
M.P. STAROPOLI  
DISTRICT MANAGER

STATE OF OREGON

(Add Acknowledgements)

COUNTY OF KLAMATH

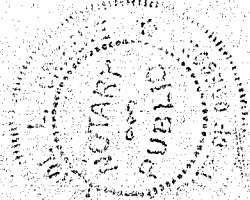
SS.

On this 21st day of MARCH, 1977, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the above named SAMUEL S. SHAW AND JAMES A. BINGHAM, known to me to be the identical persons described in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal this the day and year first in this, my certificate, written.

My Commission expires:

2-21-81



Carol L. Hesse  
Notary Public  
Ret. Shell Oil Co.  
PO Box 14337 40  
Portland Ore  
Richard  
Hallen

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WALL TO WALL



6181

STATE OF OREGON )  
COUNTY OF MULTNOMAH ) SS.

On this 25th day of March, 1977, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the above named N.P. STAROPOLI, known to me to be the identical person described in and who executed the foregoing instrument, and acknowledged to me that he executed the same as his voluntary act and deed.

In testimony whereof, I have hereunto set my hand and affixed my official seal this the day and year first in this, my certificate, written.

My Commission expires: July 23, 1977

Kent W. Jahnke  
Notary Public

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~XXXXXXXXXX~~

this 13th day of April, A.D. 1977 at 11:19 o'clock A.M., and

duly recorded in Vol. M 77, of DEEDS on Page 6180

FEE \$ 6.00

W. D. MILNE, County Clerk

W. D. Milne