

OK

64065

QUITCLAIM DEED

Vol. M86 Page 13068

KNOW ALL MEN BY THESE PRESENTS, That Dick Henzel, Samuel Henzel, and Jack Liskey, as agents, hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto BHE Properties, a limited partnership, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any-wise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

See Exhibit A attached hereto and made a part hereof.

This deed is given for the purpose of releasing the security interest created by that certain assignment recorded March 23, 1977, Vol. M77, page 5109, Deed Records of Klamath County, Oregon.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

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

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ none

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which):~~ (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 24 day of July, 1986; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

THIS INSTRUMENT WILL 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 APPROVED USES.

STATE OF OREGON,

County of Klamath,
July 24, 1986.

Personally appeared the above named

Dick Henzel, Samuel Henzel, and
Jack Liskey, as Agents

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
State of Oregon
Notary Public for Oregon
My commission expires: 9/23/89

Notary Public for Oregon
My commission expires:

STATE OF OREGON, County of

19

Personally appeared

and
who, being duly sworn,
each for himself and not one for the other, did say that the former is the
president and that the latter is the
secretary of

a corporation,
and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

(SEAL)

Notary Public for Oregon

My commission expires:

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the
day of 19

at o'clock M., and recorded
in book/reel/volume No. on
page or as document/fee/file/
instrument/microfilm No.

Record of Deeds of said county.

Witness my hand and seal of
County affixed.

NAME

TITLE

By Deputy

GRANTOR'S NAME AND ADDRESS

GRANTEE'S NAME AND ADDRESS

After recording return to:

BHE Properties, Ltd
Box 84
Medford, OR 97534

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Same as above

NAME, ADDRESS, ZIP

PARCEL I - DUNN FARM

13069

IN TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN
IN SECTION 1:

A piece or parcel of land lying between the rights of way for the Southern Pacific Railroad, and the Dalles-California Highway in Lot 1 of Section 1, Township 40 South, Range 8 East of the Willamette Meridian, and more particularly described as follows: Beginning at a point at the intersection of the line marking the Easterly boundary of the right of way of the Southern Pacific Railroad, which is a line parallel with and 50.0 feet distant at right angles Southeasterly from the center line of the said Southern Pacific Railroad, as the same is now located and constructed, with a line parallel with and 92.54 feet distant at right angles Southerly from the township line which marks the Northerly boundary of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian, from which point of intersection, the section corner Range 8 East of the Willamette Meridian, bears North $88^{\circ}22\frac{1}{2}'$ East, 2927.6 feet distant, and running thence Southwesterly along the said Easterly right of way line of the said Southern Pacific Railroad, 1105 feet, more or less, to its intersection with the meander line marking the Southerly boundary of the said Lot 1, of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian; thence South $40^{\circ}58'$ East along said meander line 97.5 feet, more or less, to its intersection with the line marking the Westerly right of way line of the Dalles-California Highway, which is a line parallel with and 50.0 feet distant at right angles Northwesterly from the center line of the said The Dalles-California Highway, as the same is now located and constructed; thence Northeasterly along the said Westerly right of way line of the said The Dalles-California Highway 1190 feet, more or less, to its intersection with the said line parallel with and 92.54 feet distant at right angles Southerly from the township line marking the Northerly boundary of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian; thence North $89^{\circ}49'$ West, along said parallel line 97.3 feet, more or less, to the said point of beginning.

ALSO Beginning at the Northwesterly corner of the $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$ of the said Section 1, Township 40 South, Range 8 East of the Willamette Meridian, and running thence North $89^{\circ}49'$ West 704.4 feet, more or less, to a point in the line marking the Northeasterly boundary of the right of way of the Midland-Mack Store Road, which is a line parallel with and 30.0 feet distant at right angles Northeasterly from the center line of the said Midland-Mack Store Road, as the same is now located and constructed; thence South $38^{\circ}25\frac{1}{2}'$ East, along said Northeasterly right of way boundary 1134.2 feet, more or less, to its intersection with the line marking the Easterly boundary of Lot 2, of Section 1, Township 40 South, Range 8 East of the Willamette Meridian; thence North $0^{\circ}02'$ West, along said line marking the Easterly boundary of the said Lot 2 of Section 1, Township 40 South, Range 8 East of the Willamette Meridian, 886.3 feet, more or less, to the said point of beginning.

All those portions of Lots 1 and 2, Section 1, lying Southwesterly of the Midland-Mack Store Highway as now constructed and in use, in Township 40 South, Range 8 East of the Willamette Meridian.

The S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 40 South, Range 8 East of the Willamette Meridian.

Lots 3, 4 and 9 of Section 1, SAVING AND EXCEPTING that portion of the A. H. Patterson, Sr. property described in deed recorded in Book 199 page 113, which lies Northerly and Easterly of the Northeast boundary of the New North Canal of the Klamath Drainage District and SAVING AND EXCEPTING THEREFROM that portion conveyed to State of Oregon by deed dated May 23, 1947, recorded June 3, 1947 in Deed Book 207 page 156, records of Klamath County, Oregon.

All that portion of Lot 6, Section 1, lying Easterly of the Central Pacific Railway Company right of way, SAVING AND EXCEPTING that portion thereof lying Northerly of the Midland-Mack Store Highway and having been conveyed to Arthur Neil Phipps, et al, by deed dated March 14, 1950, recorded March 17, 1950, in Book 237 page 387, Deed Records of Klamath County, Oregon, and ALSO SAVING AND EXCEPTING that portion thereof conveyed to Klamath County by deed dated April 21, 1934, recorded September 19, 1934, in Deed Book 103 page 506 Records of Klamath County, Oregon, and ALSO SAVING AND EXCEPTING therefrom the portion conveyed to the State of Oregon by deed dated May 31, 1947, recorded June 25, 1947, in Book 208 page 87, Deed Records of Klamath County, Oregon.

Those portions of Lot 7, the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, lying Easterly of the Central Pacific Railway Company right of way SAVING AND EXCEPTING from said Lot 7 that portion conveyed to the State of Oregon by deed dated May 31, 1947, recorded June 25, 1947, in Book 208 page 87, Deed records of Klamath County, Oregon.

All of Lots 5 and 8, and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1.

IN SECTION 11:

That portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ lying Easterly of the Central Pacific Railroad right of way.

IN SECTION 12:

All that portion of Section 12 lying Easterly of the Central Pacific Railroad right of way.

IN SECTION 13: ALL

IN SECTION 14:

That portion of the E $\frac{1}{2}$ lying Easterly of the Central Pacific Railroad right of way.

13071

IN TOWNSHIP 40 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN

IN SECTION 6:

That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Southwesterly of the New North Canal of the Klamath Drainage District.

IN SECTION 7:

Lots 1, 8, 9, 10 and 13; and the S $\frac{1}{4}$ NW $\frac{1}{4}$; the SW $\frac{1}{4}$; the W $\frac{1}{4}$ SE $\frac{1}{4}$; and SE $\frac{1}{4}$ SE $\frac{1}{4}$; and that portion of the NE $\frac{1}{4}$ and Lot 7 lying Southerly and Westerly of the center line of the said New North Canal.

IN SECTION 18: All

All those portions of Sections 23 and 24, Township 40 S.R. 8 E.W.M., and of Section 19, Township 40 S.R. 9 E.W.M., lying Easterly of Highway #97 and Northerly and Easterly of the center line of Klamath Straits, as presently located and constructed. EXCEPTING THEREFROM the following described parcel: All that portion of the N $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Twp. 40 S.R. 8 E.W.M., lying South of the following described line: Beginning at a point on the Easterly right-of-way line of said Highway #97 which bears S. 69°53' E. 2942.6 feet and N. 18°17' E. 150.0 feet from the Northwest corner of said Section 23, Twp. 40 S.R. 8 E.W.M.; thence leaving said highway right of way line S. 72°06' E. 900.1 feet; thence S. 36°56' E. 162.1 feet; thence S. 68°03' E. 330.0 feet to a point designated Point "D" on the South line of said N $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23; said point being S. 71°02' E. 4303.9 feet from the Northwest corner of said Section 23, Twp. 40 S.R. 8 E.W.M.

IN SECTION 34 Township 40 South, Range 8 East of the Willamette Meridian

That part of the SW $\frac{1}{4}$ of Section 34 described as follows: Beginning at a point that is distant South 89°29' East 351.66 feet from the Section corner common to sections 3 and 4, Township 41 S.R. 8 E.W.M., and Sections 33 and 34, Township 40 S.R. 8 E.W.M., said point being distant 50 feet Southeastly measured at right angles from the center line of the Central Pacific Company's originally located main track at Engineer's Station 2640+59.67; thence North 32°17'30" East, parallel to said center line of main track, 1740.33 feet to a point distant 50 feet Southeastly at right angles from said center line of the Central Pacific Railway Company's originally located main track at Engineer's Station 2658+00; thence South 57°42'30" East 100.0 feet to the Northwestly right of way line of the Klamath Falls-Dorris Highway; thence South 32°17'30" West along said right of way line 1678.39 feet to the South line of said Section 34; thence North 89°29' West along said South line of Section 34 a distance of 117.63 feet to the point of beginning.

ALSO that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Southeastly of the Klamath Falls-Dorris Highway; AND the West 400 feet of Lot 5 in said Section 34.

13072

IN TOWNSHIP 41 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN

IN SECTION 6: The S $\frac{1}{2}$ SW $\frac{1}{4}$

IN SECTION 7: ALL EXCEPT the NE $\frac{1}{4}$ NE $\frac{1}{4}$

Lots 1 thru 6 in Block 2, Second Addition to Midland, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

PARCEL 2:

The NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 41 South, Range 9 East of the Willamette Meridian.

13073

PARCEL III - GRAIN ELEVATOR

IN SECTION 34 TOWNSHIP 40 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN

That part of the SW $\frac{1}{4}$ of Section 34 described as follows: Beginning at a point that is distant South 89°29' East 351.66 feet from the Section corner common to Sections 3 and 4, Township 41 South, Range 8 East of the Willamette Meridian, and Sections 33 and 34, Township 40 South, Range 8 East of the Willamette Meridian, said point being distant 50 feet Southeasterly measured at right angles from the center line of the Central Pacific Company's originally located main track at Engineer Station 2640+59.67; thence North 32°17'30" East, parallel to said center line of main track, 1740.33 feet to a point distant 50 feet Southeasterly at right angles from said center line of the Central Pacific Railway Company's originally located main track at Engineer's Station 2658+00; thence South 57°42'30" East 100.0 feet to the Northwest right of way line of the Klamath Falls-Dorris Highway; thence South 32°17'30" West along said right of way line 1678.39 feet to the South line of said Section 34; thence North 39°29' West along said South line of Section 34 a distance of 117.63 feet to the point of beginning.

ALSO that portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Southeasterly of the Klamath Falls-Dorris Highway, AND the West 400 feet of Lot 5 in said Section 34.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of _____ July

FEE \$30.00

A.D., 19 86 at 3:03 o'clock P M., and duly recorded in Vol. _____ the 25th day
on Page 13068 M86

Evelyn Biehn, County Clerk
By _____

Exhibit C