

66110

ATC# M29968

QUITCLAIM DEED

Vol. MSL Page 16884

BURLINGTON NORTHERN RAILROAD COMPANY (formerly named Burlington Northern Inc.), a Delaware corporation, GRANTOR, releases and quitclaims, without any covenants of warranty whatsoever and without recourse to the Grantor, its successors and assigns, to SUBURBAN WATER COMPANY of 1151 Pine Street, Klamath Falls, Oregon 97601, an Oregon corporation, GRANTEE, all right, title and interest in and to the following described real property, situated in Klamath County, Oregon, to-wit:

Lots 1 through 12, Block 16 and Lots 15 through 18, Block 16, all inclusive, in Second Railroad Addition to the City of Klamath Falls, in the County of Klamath, State of Oregon, EXCEPT that portion of Lot 11, Block 16, which was deeded to the State of Oregon, by and through its State Highway Commission recorded in Book 280 at Page 284.

The conveyance of the premises herein shall include the Grantor's depot building, track or tracks and other appurtenances, above or below ground in an "as is", condition and the Grantee agrees to assume all obligation thereto, including dismantling costs if the Grantee decides to remove said structures and appurtenances.

SUBJECT, however, to all existing interests, including but not limited to all reservations, rights-of-way and easements of record or otherwise.

EXCEPTING AND RESERVING, however, unto said Grantor, its successors and assigns, all of the coal, oil, gas, casinghead gas and all ores and minerals of every kind and nature underlying the surface of the premises herein conveyed, together with the full right, privilege and license at any and all times to explore, or drill for and to protect, conserve, mine, take, remove and market any and all such products in any manner which will not damage structures on the surface of the premises herein conveyed, together with the right of access at all times to exercise said rights; EXCLUDING HEREFROM, and conveying unto the Grantee, all rights to explore for and remove any geo-thermal energy contained beneath said premises.

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.

The true consideration for this conveyance is \$141,040.00.

Done by order of the Grantor's Board of Directors with its corporate seal affixed on September 8, 1986.

BURLINGTON NORTHERN RAILROAD COMPANY

By H. P. Plawe
DIRECTOR - PROPERTY MANAGEMENT

ATTEST:

By J. J. Hanks
Assistant Secretary

ACCEPTED:

SUBURBAN WATER COMPANY

By William M. Gandy
Title:

ATTEST:

By _____
Title:

Set. ATC

STATE OF OREGON

COUNTY OF KLAMATH

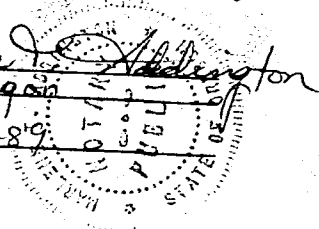
ss.

September 18, 1986.

16885

Personally appeared Wm. M. Ganong and , who, each being first duly sworn, did say that the former is the Vice President of Suburban Water Co., 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:
Notary Public for Oregon
My commission expires: 3-22-89



STATE OF TEXAS

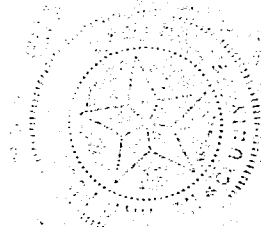
COUNTY OF TARRANT

ss.

Personally appeared N. D. Shave and D. J. Harles, who, each being first duly sworn, did say that the former is the DIRECTOR - PROPERTY MANAGEMENT and the latter is the Assistant Secretary of Burlington Northern Railroad Company, 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: Frances Smith
Notary Public for Texas
My commission expires: 6-13-88

FRANCES SMITH
Notary Public State of Texas
Commission Expires June 13, 1988



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of the 18th day
of September A.D., 19 86 at 3:56 o'clock P M., and duly recorded in Vol. M86
of Deeds on Page 61884

FEE \$14.00

Evelyn Biehn, County Clerk
By

BN 8560
QD 8