CORRECTION WARRANTY DEED (Individual or Corporate).

98485

FORM No. 633

OK

CORRECTION WARRANTY DEED

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KNOW ALL MEN BY THESE PRESENTS, That P & M CEDAR PRODUCTS, INC., a California corporation

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by BIO_WASTE____

MANAGEMENT CORPORATION, a corporation , hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or ap-

The real property described in Exhibit "A" attached hereto and by this reference made a part hereof.

The purpose of this deed is to correct the restriction which appears as exception number 3 in Exhibit "A" attached to the warranty deed dated November 29, 1988, recorded as instrument No. 94658 in Volume M88, page 20735, records of Klamath County, Oregon. By signing the endorsement on Exhibit "A" grantee accepts the correction.

(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. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as noted on Exhibit "A", as of November 29, 1988.

grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances The true and actual consideration paid for this transfer, stated in terms of dollars, is \$150,000.00

©HOWEVELX HIE XEXHER & BAERBEARDA & BAERES XEX BIX HIS NUBBE XERBE XEBERD XER VALUEX GIVER XEX PROHISECK WILKIN XX www. we wind the set of the set o 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 A.L. day of X. MARCH. , 1989 ; 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 DE-SCRIBED 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. P & M CEDAR PRODUCTS, INC. CALIFORNIA STATE OF DECEMBER County of San Joaquin STATE OF OREGON, 19 89 County of OFFICIAL SEAL Personally appeared x NVMM 16, 1989who, being duly sworn, Public-Californ XEXCANOL MINISHIX AND NOR NOR XIN X (REXOLDER did say that the XM Rex is the AN JOAQUIN COUNTY My Comm. Exp. Feb. 8, 1993 Socreptoryot INC P. E. M. CEDAR. PRODUCTS, INC. P. E. M. CEDAR. PRODUCTS, INC. and that the seal allixed to the foregoing instrument is the corporation of said corporation and that said instrument was signed band sealed in be half of said corporation by authority of its board of direoloss and each of them achnowledged said instrument to be its voluntary act and deady a Before me: MAAand acknowledged the foregoing instrument to be.....voluntary act and deed. each of act and deday Before me: (OFFICIAL (OFFICIAL Notary Public for Progon Herdinger SEAL) Notary Public for Oregon California 25 (If executed by a corporate affix corporate My commission expires: My commission expires: P & M CEDAR PRODUCTS, INC. STATE OF OREGON, Box 7349 P. O. Stockton, CA 95207 County of GRANTOR'S NAME AND ADDRESS I certify that the within instru-BIO WASTE MANAGEMENT CORPORATION was received for record on the ment P. O. Box 656 day Qf....., 19....., Klamath Falls, OR 97601-0035 GRANTEE'S NAME AND ADDRESS SPACE RESERVED After recording return to: in book/reel/volume No...... on FOR page or as fee/file/instru-RECORDER'S USE grantee. ment/microfilm/reception No......, Record of Deeds of said county. Witness my hand and seal of NAME, ADDRESS, ZIP County affixed. Until a change is requested all tax statements shall be sent to the following address grantee NAME TITLE Deputy NAME, ADDRESS, ZIP By

EXHIBIT "A"

DESCRIPTION OF PROPERTY

The following described real property situate in Klawath County, Oregon:

A tract of real property situated in the SWH and in the NWH of Section 34, and the EISEL of Section 33, both in Township 40 South, Range 8 East of the Willamette Meridian, and being more particularly described as follows:

Beginning at the section corner common to Sections 33 and 34, Township 40 South, Range 8 East of the Willamette Meridian, and Sections 3 and 4, Soura, Range & East of the Willamette Derivian, and Sections 5 and 4, Township 41 South, Range 8 East of the Willamette Meridian; thence East along the South boundary of above said Section 34 a distance of 117.3 feet to the Westerly right of way boundary of the Southern Pacific Company's Railroad; thence North 32°18' East along sald right of way boundary, a distance of 1165.1 feet to the Northerly boundary of Gordon Street as shown on the official plat of Worden, Oregon, and being the true point of beginning of this description; thence North 57°42' West along the aforesald Northerly boundary of Gordon Street a distance of 1013.5 feet; thence North 32°18' East parallel with the aforesaid railroad right of way boundary, a distance of 1400.0 feet; thence South 57°42' East parallel with aforesaid Gordon Street, a distance of 1013.5 feet to the aforesaid railroad right of way boundary; thence South 32°18' West along same a distance of 1400.0 feet, more or less, to the true point of beginning.

EXCEPTING THEREFROM that 80.0 foot strip of land shown as Main Street on the official plat of Worden, Oregon; and also

EXCEPTING THEREFRON Lot 2, Block 45 and Lot 23, Block 38 of Worden, Oregon, and

ALSO EXCEPTING THEREFROM Lots 8 through 16, both inclusive, Block 45 of Worden, Oregon, vacated.

SUBJECT TO:

1. Right of way, including the terms and provisions thereof, given by 1. Right of way, including the terms and providents thereof, great by H. L. Veit to California Gregon Power Co., dated May 3, 1912 and recorded May 4, 1914, in Deed Volume 42 on page 105, records of Klamath County,

2. Right of way, including the terms and provisions thereof given by II. L. Veit to California Oregon Power Company, dated December 14, 1918 and recorded January 20, 1919 in Deed Volume 49 on page 632, records of Klamath County, Oregon.

The following perpetual restriction: The said property shall not be used 3. The for lowing perpetual restriction: The sald property shall not be to as a site for a saw mill or planing mill for the production of lumber. The restriction shall run with the land and bind grantee, its successors and assigns. The parties hereto recognize that damages from a breach of this restriction would be difficult to ascertain, and hence grantor may obtain an injunction to terminate a violation of this restriction. shall not be deemed exclusive.

BIO WASTE MANAGEMENT CORPORATION Βv President

STATE OF OREGON, County of Klamath

Filed for record at request of:

Bio Waste Management Corp. on this ______ day of ______ A.D., 19 89____ M89 of <u>Deeds</u> Page 5139 County Clerk in Vol. -Dauline muchindere Evelyn Biehn Βv Deputy.

Fee, \$13.00