

707

K-41155
QUITCLAIM DEED

BURLINGTON NORTHERN RAILROAD COMPANY (formerly named Burlington Northern Inc.), a Delaware corporation, GRANTOR, in confirmation of, and pursuant to, the Asset Transfer Agreement and Deed as of May 26, 1988 between Grantor and Grantee, releases and quitclaims, without any covenants of warranty whatsoever and without recourse to the Grantor, its successors and assigns, to GLACIER PARK COMPANY, a Delaware corporation, of 1011 Western Avenue, Suite 700, Seattle, Washington 98104, GRANTEE, all right, title and interest in and to the real property described on Exhibit "A" attached hereto and made a part hereof, situated in Klamath County, Oregon, together with all after acquired title of Grantor therein.

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 \$0.00.

RESERVING, however, unto said Grantor, its successors and assigns, a railroad easement including the right, privilege and easement to construct, maintain, repair, renew, use, operate over, replace or remove railroad tracks, drainage facilities and appurtenances thereto in, along, over, upon or across that portion of the premises herein conveyed, as shown shaded on the attached Exhibit "B" and by this reference made a part hereof.

TO HAVE AND TO HOLD said easement for so long as the same is used or required for railroad purposes and until said Grantor, its successors or assigns, shall remove all such facilities from the said premises with the intent to abandon said easement. Upon such removal with the intent to abandon said premises, the easement created hereby shall immediately terminate without further action by Grantor or Grantee. Grantee may, at any time after the termination of the easement created hereby, record an affidavit of termination in the public records to conclusively evidence the termination of the easement.

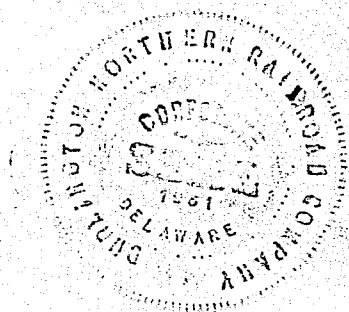
Dated this 21st day of November, 1988.

BURLINGTON NORTHERN RAILROAD COMPANY

BY J. H. Iikka
J. H. Iikka
Director - Title Services

ATTEST:

BY Anita D. Wells
Anita D. Wells
Assistant Secretary



89 MAY 30 AM 10 44

STATE OF WASHINGTON

COUNTY OF KING

} ss.

Personally appeared J. H. Ilkka and Anita D. Wells, who, each being first duly sworn, did say that the former is the Director - Title Services and the latter is the Assistant Secretary of Burlington Northern Railroad Company, a Delaware 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: Lisa J. Fredrich
Notary Public for Seattle
My commission expires: 02/09/92

This instrument was drafted by:

Return; Glacier Park Company
Title Services Department
1011 Western Avenue, Suite 700
Seattle, Washington 98104



EXHIBIT "A"

Parcel 1

That portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T39S, R9E, W.M., City of Klamath Falls, Klamath County, Oregon, described as follows, to-wit:

Beginning at the intersection of a line drawn parallel with and distant 50.0 feet Westerly of, as measured at right angles to, the East line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9 and a line drawn parallel with and distant 50.0 feet Southerly of, as measured at right angles to, the East-West centerline of said Section 9; thence Southerly parallel with said East line to the point of intersection with a line drawn parallel with and distant 330.0 feet Northerly of, as measured at right angles to, the South line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence Westerly parallel with said South line to the point of intersection with the West line of the E $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence Northerly along said West line to the point of intersection with said line drawn parallel with and distant 50.0 feet Southerly of the East-West centerline; thence Easterly parallel with said East-West centerline to the Point of Beginning.

Parcel 2

That portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T39S, R9E, W.M., City of Klamath Falls, Klamath County, Oregon, described as follows, to-wit:

Beginning at the intersection of the East line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9 and a line drawn parallel with and distant 100.0 feet Northeasterly of, as measured at right angles to, Burlington Northern Railroad Company's (formerly Great Northern Railway Company's) Northeasterly Ladder track centerline, as now located and constructed; thence Northwesterly parallel with said Ladder track centerline to the point of intersection with a line drawn parallel with and distant 132.0 feet Southerly of, as measured at right angles to, the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence Easterly parallel with said North line to the point of intersection with said East line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence Southerly along said East line to the Point of Beginning.

Parcel 3

That portion of Tracts 13 through 16 of Altamont Ranch Tracts located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T39S, R9E, W.M., described as follows, to-wit:

PH8

Beginning at the intersection of the South right-of-way line of Bristol Avenue (6th Avenue), according to the recorded plat thereof, and a line drawn parallel with and distant 25.0 feet Easterly of, as measured at right angles to, Burlington Northern Railroad Company's (formerly Great Northern Railway Company's) centerline of the Interchange Track with the Southern Pacific (formerly Oregon, Central and Eastern), as now located and constructed; thence Southwesterly parallel with said track centerline to the point of intersection with the East line of said Tract 13; thence Southerly along said East line to the Southeast corner of said Tract 16; thence Westerly along the South line of said Tract 16 to the point of intersection with a line drawn parallel with and distant 100.0 feet Northeasterly of, as measured at right angles to, said Railroad Company's Main Track centerline, as now located and constructed; thence Northwesterly parallel with said Main Track centerline to the point of intersection with the West line of said Tract 15; thence Northerly along said West line to the Southwest corner of said Tract 14; thence Easterly along the South line of said Tract 14 to the point of intersection with a line drawn parallel with and distant 500.0 feet Westerly of, as measured at right angles to, the East line of said Tracts 13 and 14; thence Northerly along said parallel line to the point of intersection with said South right-of-way line of Bristol Avenue; thence Easterly along said Southright-of-way line to the Point of Beginning.

Parcel 4

That portion of Tract 1 of the Subdivision of Tracts Numbers 25 to 32, inclusive, of Altamont Ranch Tracts located in Section 15, T39S, R9E, W.M., Klamath County, Oregon, described as follows, to-wit:

Beginning at the intersection of the West right-of-way line of Avalon Street, according to the recorded plat thereof, and the South right-of-way line of the U.S.R.S. A-3 irrigation canal, as now located and constructed; thence Southerly along said West right-of-way line of Avalon Street a distance of 270.0 feet, more or less, to the Southeast corner of said Tract 1; thence Westerly along the South line of said Tract 1 to the point of intersection with a line drawn parallel with and distant 125.0 feet Northeasterly of, as measured at right angles to, Burlington Northern Railroad Company's (formerly Great Northern Railway Company's) Main Track centerline, as now located and constructed; thence Northwesterly parallel with said Main Track centerline a distance of 135.0 feet, more or less, to the point of intersection with a line drawn parallel with and distant 15.0 feet Easterly of, as measured at right angles to, the track centerline of the Easterly leg of the Wye track connecting said Interchange Track with said Railroad Company's Main Track; thence Northerly along said parallel line to the point of intersection with said South right-of-way line of the U.S.R.S. A-3 irrigation ditch; thence Easterly along said South right-of-way line to the Point of Beginning.



SCALE: 1"=600'
DATE: OCTOBER 1988

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 30th day
of May A.D., 19 89 at 10:44 o'clock A.M., and duly recorded in Vol. M89,
of Deeds on Page 9296

FEE \$28.00

Evelyn Biehn County Clerk
By Dorinda M. Nussong