

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.

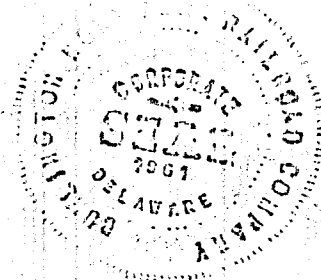
Dated this 14th day of December, 1988.

BURLINGTON NORTHERN RAILROAD COMPANY

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

ATTEST:

BY Anita D. Wells
Anita D. Wells
Assistant Secretary



20 21 JUN 19 61 JUN 88

STATE OF WASHINGTON)
COUNTY OF KING) ss.

Personally appeared J. H. Ilkka and [redacted] Wells, who, each being first duly sworn, did say that the former is the Assistant Secretary of Title Services and the latter is the Assistant Secretary of the 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 to:

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

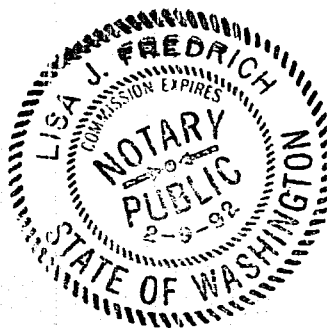


EXHIBIT "A"

Parcel 1

All that portion of Lots 11 and 12, Section 8, and Lot 5, Section 5 in T39S, R9E of the W.M., Klamath County, Oregon, lying Southeasterly of a line drawn parallel with and distant 75.0 feet Southeasterly of, as measured at right angles to, Burlington Northern Railroad Company's (formerly Great Northern Railway Company) Main Track centerline, as now located and constructed.

Parcel 2

A portion of the NE $\frac{1}{4}$ of Section 8, T39S, R9E of the W.M., Klamath County, Oregon, described as follows, to-wit:

Beginning at the Northwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence S21°10'W to the point of intersection with a line drawn parallel with and distant 160.0 feet Northwesterly of, as measured at right angles to, Burlington Northern Railroad Company's (formerly Great Northern Railway Company) Main Track centerline, as now located and constructed; thence Northeasterly parallel with said Main Track centerline to the point of intersection with the North line of said NE $\frac{1}{4}$ of Section 8; thence Westerly along said North line to the Point of Beginning.

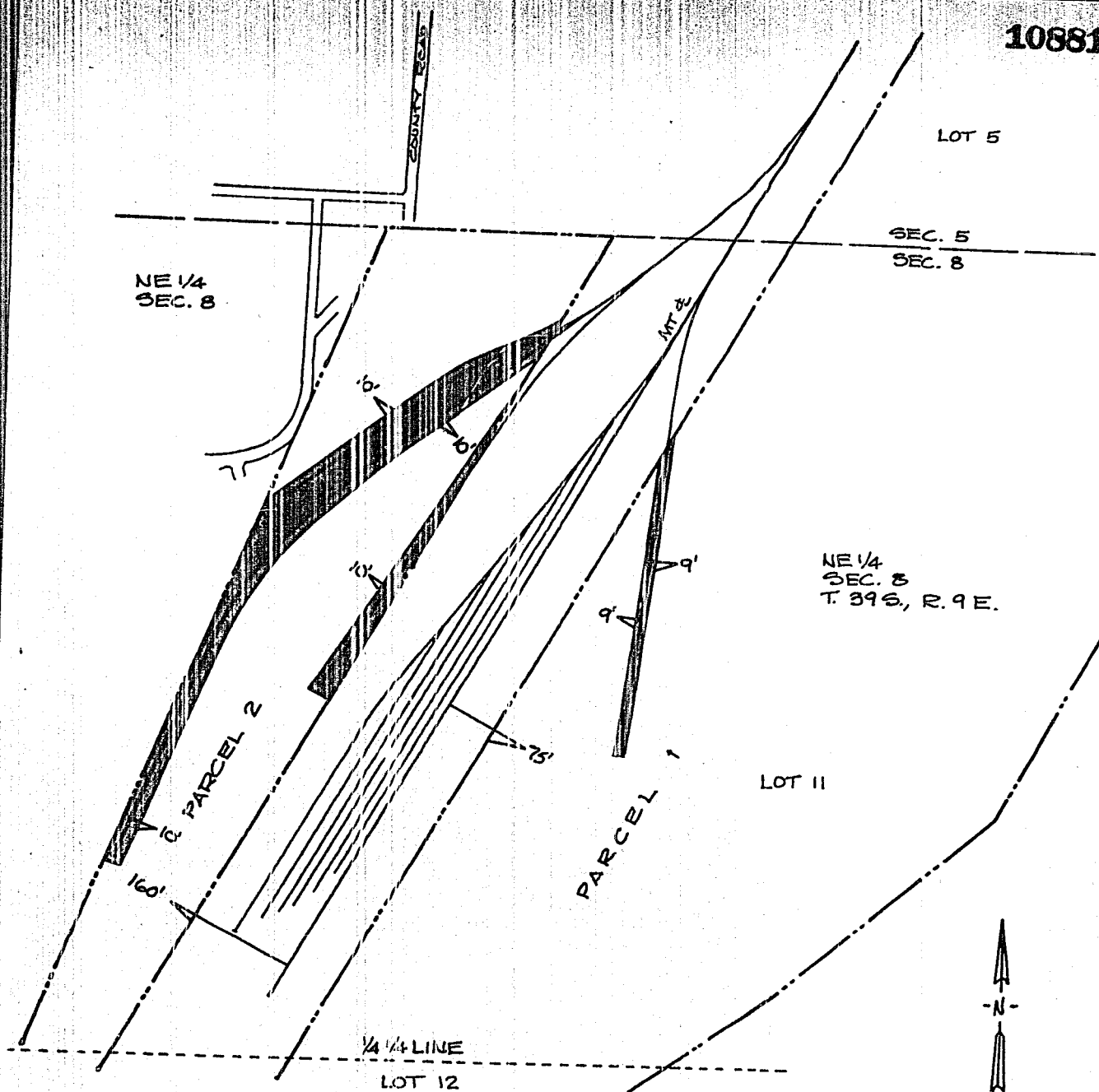
Parcel 3

A portion of the Government Lot 13, Section 8, T39S, R9E of the W.M., Klamath County, Oregon, described as follows, to-wit:

Commencing at the point of intersection of the North line of said Section 8 and Burlington Northern Railroad Company's (formerly Great Northern Railway Company) Main Track centerline, as now located and constructed; thence Southwesterly along said Main Track centerline a distance of 3945.6 feet; thence Southeasterly, at right angles to said Main Track centerline, to the point of intersection with a line drawn parallel with and distant 15.0 feet Southeasterly of, as measured at right angles to, said Railroad Company's Log Dump Spur Track centerline, as now located and constructed, said point of intersection being the Point of Beginning of the parcel to be described; thence continuing, at right angles to said Main Track centerline, to the point of intersection with the Westerly shoreline of Ewauna Lake; thence Northerly along said shoreline to the point of intersection with said line drawn parallel with the Log Dump Spur Track; thence Southwesterly parallel with said Log Dump Spur Track to the True Point of Beginning.

List # 2
Sequence # 29
10B.2B.2/29

10881



**TRACK EASEMENT
RESERVED**

KLAMATH CO., OREGON EXHIBIT "B"

SCALE: 1" = 200'
DATE: NOVEMBER 1983

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 19th day
of June A.D., 19 89 at 12:02 o'clock P.M., and duly recorded in Vol. M89,
of Deeds on Page 10878.

FEE \$23.00

Evelyn Biehn County Clerk

By Rosemary Mueland