

12921

WARRANTY DEED

Vol. m90 Page 5736

KNOW ALL MEN BY THESE PRESENTS, That MODOC POINT VENEER CO., an Oregon corporation hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JELD-WEN, inc., an Oregon 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 appertaining, situated in the County of Klamath and State of Oregon, described as follows, to-wit:

See Exhibit "A" hereto.

(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 set forth in Exhibit "B" hereto

and that 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 \$ 65,000.00

~~XXXXXX~~ (The sentence between the symbols ~~XXXXXX~~, 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 21st day of March, 1990; 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.

MODOC POINT VENEER CO.

By: Robert J. Riecke

Its: Assistant Secretary

STATE OF OREGON,

County of \_\_\_\_\_

STATE OF OREGON, County of WashingtonMarch 21, 1990Personally appeared Robert J. Riecke

who, being duly sworn,

each for himself and not one for the other, did say that the former is the

assistantVeneer Co. secretary of Modoc Point

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 the hall 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: 12/93

(OFFICIAL SEAL)

Before me:

Notary Public for Oregon

My commission expires:

Modoc Point Veneer Co.P.O. Box 5805Portland, OR 97228

GRANTOR'S NAME AND ADDRESS

Jeld-Wen, Inc.PO Box 1329Klamath Falls, OR 97601

GRANTEE'S NAME AND ADDRESS

After recording return to:

Jeld-Wen, Inc.PO Box 1329Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

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

Jeld-Wen, Inc.PO Box 1329Klamath Falls, OR 97601

NAME, ADDRESS, ZIP

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/roll/volume No. \_\_\_\_\_ on page \_\_\_\_\_ or as fee/file/instrument/microfilm/reception No. \_\_\_\_\_, Record of Deeds of said county.

Witness my hand and seal of County affixed.

NAME

TITLE

By \_\_\_\_\_ Deputy

SPACE RESERVED  
FOR  
RECORDER'S USE

(If excluded by a corporation, affix corporate seal)

90 MAR 29 PM 3 36

EXHIBIT "A"  
LEGAL DESCRIPTION

The following described real property in Klamath County, Oregon:

A tract of land situated in Section 15, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 1 inch iron pipe on the Westerly boundary of Modoc Point, a platted subdivision in Klamath County, Oregon, which is South 85 degrees 30' West 30 feet and North 71 degrees 51' West (North 71 degrees 45' West by plat) 120.02 feet from the Northwestelry corner of Lot 26 in said Modoc Point; thence West 93.32 feet to a 5/8 inch iron pin marking the true point of beginning of this description; thence North 01 degrees 06' 15" East 870.04 feet to a 5/8 inch iron pin in the centerline of State Secondary Highway No. 427 as constructed; thence North 55 degrees 33' 15" West along said Highway centerline 630.61 feet to a 5/8 inch iron pin; thence South 14 degrees 55' 45" West 528.77 feet to a 5/8 inch iron pin; thence South 05 degrees 13' 15" West 553.13 feet to a 5/8 inch iron pin; thence continuing South 05 degrees 13' 15" West to the Northerly shore line of Upper Klamath Lake; thence Southeasterly along said shore line to a point East of the true point of beginning; thence East to a 5/8 inch iron pin being located West 244.79 feet from the true point of beginning; thence East 244.79 feet to the true point of beginning of this description.

The above described tract of land being subject to the following described easement:

Beginning at a point on the Easterly line of above described tract of land, said point being North 01 degrees 06' 15" East a distance of 669.04 feet from the true point of beginning, said point being the apparent centerline of an existing railroad spur grade 21 feet in width; thence North 65 degrees 32' 27" West along said centerline to the Westerly line of said described tract of land.

EXCEPTING from the above described land any portion lying within the limits of the State Secondary Highway.

TOGETHER WITH a strip of land twenty-one (21) feet in width, being 10.5 feet each side of, measured at right angles to the following described centerline situated in Section 15, Township 36 South Range 7 East of the Willamette Meridian, Klamath County, Oregon:

Beginning at the Northwesterly corner of Lot 26, Modoc Point, a platted subdivision in Klamath County, Oregon; thence South 85 degrees 30' West a distance of 30 feet to a 3/8 inch iron pin; thence North 71 degrees 51' West (North 71 degrees 45' West by plat) a distance of 120.20 feet to a one inch iron pipe on the Westerly boundary of said Modoc Point subdivision; thence West 93.32 feet to a 5/8 inch iron pin; thence North 01 degrees 06' 15" East a distance of 668.81 feet to the True Point of Beginning of this description, said point being South 01 degrees 06' 15" West a distance of 201.23 feet from the 5/8 inch iron pin in the centerline of State Secondary Highway No. 427; thence South 65 degrees 04' 15" East a distance of 306.18 feet to the point of tangency of a ten degree curve to the right (the central angle is 53 degrees 51'); thence Southeasterly along the arc of said curve to the intersection with the Westerly right-of-way line of the Southern Pacific Company Railroad.

Tax Account No: 3607 A15CA 00200

## EXHIBIT "B"

1. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
2. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Upper Klamath Lake and the ownership of the State of Oregon in and to that portion lying below the usually high water mark thereof.
3. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Modoc Point Irrigation.
4. An easement created by instrument, subject to the terms and provisions thereof,  
Dated: December 12, 1923  
Recorded: January 15, 1924  
Volume: 63, Volume 316, Deed Records of Klamath County, Oregon  
To: California Oregon Power Company
5. An easement created by instrument, subject to the terms and provisions thereof,  
Dated: August 20, 1926  
Recorded: August 10, 1928  
Volume: 82, page 126, Deed Records of Klamath County, Oregon  
To: Klamath Telephone and Telegraph Company
6. Agreement, subject to the terms and provisions thereof, between Kamm Lumber Company and Southern Pacific Company dated August 1, 1936 and recorded September 8, 1936 in Volume 57, page 359, Mtg. Records of Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 29th day  
of March A.D., 19 90 at 3:36 o'clock P M. and duly recorded in Vol. M90,  
of Deeds on Page 5736.

Evelyn Biehn, County Clerk

FEE \$38.00

By Dorlene Mullens