

OK

23782

BARGAIN AND SALE DEED

Vol 90 Page 24908



KNOW ALL MEN BY THESE PRESENTS, That Estate of Robert E. Maloney, Sr., Dec'd/ and dba Westco, Inc., hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Klamath County Investment Fund, Inc., hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

All of grantor's interest in and to the property interest excepted and reserved to grantor, described as party of the first part, under that certain Warranty Deed dated December 11, 1979, a copy of which is attached hereto marked Exhibit A and incorporated herein by reference as if set forth in full.

(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.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 10.00

~~However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which).~~ ~~(The sentence between the symbols @, 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 14<sup>th</sup> day of December, 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.

(If the signer of the above is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,

(ORS 194.570)

County of Multnomah

} ss.

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of Dec., 1990, by Robert E. Maloney, Jr.

NOTARY

Notary Public for Oregon

(SEAL)

My commission expires: 6-19-93

STATE OF OREGON, County of

The foregoing instrument was acknowledged before me this

, 19, by

president, and by

secretary of

a corporation, on behalf of the corporation.

Notary Public for Oregon

My commission expires:

(SEAL)

(If executed by a corporation, affix corporate seal)

Estate of Robert E. Maloney, Sr.  
520 S.W. Yamhill St., Suite 800  
Portland, Oregon 97204

GRANTOR'S NAME AND ADDRESS

Klamath County Investment Fund, Inc.  
520 S.W. Yamhill St., Suite 800  
Portland, Oregon 97204

GRANTEE'S NAME AND ADDRESS

After recording return to:

Robert E. Maloney, Jr.  
520 S.W. Yamhill St., Suite 800  
Portland, Oregon 97204

NAME, ADDRESS, ZIP

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

Klamath County Investment Fund, Inc.  
c/o Robert E. Maloney, Jr.  
520 S.W. Yamhill St., Suite 800  
Portland, OR 97204

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of

} ss.

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book/reel/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

# Warranty Deed

24909

This Indenture made this 11th day of December

one thousand nine hundred and seventy-nine

Between WESTCO, INC., a Nevada corporation, successor  
in interest to KLAMATH GAS COMPANY, an Oregon corporation,  
the part Y of the first part,  
and CAL GAS-NORTHWEST, INC.,  
a California corporation,  
the part Y of the second part,

Witnesseth: That the party of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) dollars, lawful money of the United States of America, to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, do es by these presents grant and convey unto the part Y of the second part, and to its heirs and assigns forever,

all that certain real property situate in the County of Klamath, State of Oregon, more particularly described on Exhibit "A", which is attached hereto and by reference made a part hereof, excepting and reserving unto the party of the first part, its successors and assigns, forever, all iron, natural gas, coal, oil, water, geo-thermal water and steam and all minerals of any nature whatsoever upon or in the lands above described, together with the sole, exclusive and perpetual right to explore for, remove and dispose of the same by any means or methods suitable to the party of the first part, its successors and assigns, but without entering upon or using the surface of the lands above described and in such manner as not to damage the surface of said lands or interfere with the use thereof by the party of the second part, its successors and assigns; provided, however, that party of the first part shall have the right of access to and use of the artesian water well now on the property or such wells as may be drilled on the property for the purpose of taking water from the same by pipes or otherwise in such way and in such manner and such times as not to interfere with the use of the property and with the consent of the party of the second part which consent shall not be withheld unreasonably.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the rents, issues, and profits thereof.

To Have and to Hold all and singular the above-mentioned and described premises, together with the appurtenances, unto the part Y of the second part, and to its heirs and assigns forever. And the part Y of the first part, and its heirs, shall and will WARRANT and by these presents forever DEFEND the quiet and peaceable possession of the part Y of the second part, its heirs and assigns, against the part Y of the first part, and its heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same.

In Witness Whereof the part Y of the first part has executed this conveyance the day and year first above written.

Signed and Delivered in the Presence of

WESTCO, INC., successor in  
interest to KLAMATH GAS COMPANY

By Robert E. Maloney, President

Belbin Matheson  
Secretary

State of California,

ss.

County of Sacramento

On this 11th day of December

in the year of our Lord one thousand nine hundred and seventy-nine before me,

Phyllis J. Pacheco

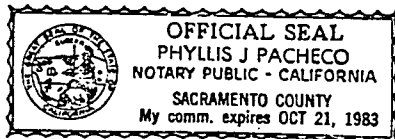
a Notary Public in and for the said County of Sacramento,

State of California, residing therein, duly commissioned and sworn, personally appeared

Robert E. Maloney and Wilbur F. Mathewson

known to me to be the persons described in and whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

**In Witness Whereof** I have hereunto set my hand and affixed my official seal in said County of Sacramento, the day and year in this certificate first above written.



Phyllis J. Pacheco  
Notary Public in and for the said  
County of Sacramento, State of California.  
My commission expires October 21, 1983

Warranty Deed

TO

Dated 11th, 1979  
Recorded at the Request of \_\_\_\_\_  
at \_\_\_\_\_ min. past \_\_\_\_\_ o'clock M.,  
in Volume \_\_\_\_\_ of \_\_\_\_\_  
page \_\_\_\_\_  
County Records \_\_\_\_\_  
Recorder \_\_\_\_\_  
By \_\_\_\_\_ Deputy Recorder.

EXHIBIT "A"

All that part of Government Lot 1, Section 5, Township 39 South, Range 9 East of the Willamette Meridian, being more particularly described as follows:

Commencing at the Northwest corner of said Section 5; thence East 1908.8 feet along the North boundary thereof to an intersection with the center line of Riverside Spur Track of the Great Northern Railway Company; thence South 21° 35' East along the said center line 957.83 feet; thence leaving said center line and running South 68° 25' West 22.5 feet to the true point of beginning of this description; thence continuing South 68° 25' West 150.56 feet to a point on the East boundary of the Klamath Falls-Ashland State Highway; thence along said East boundary North 37° 15' West 207.10 feet; thence North 39° 18' West 125.75 feet; thence leaving said East boundary of the highway and running North 83° 43' East 103.74 feet; thence North 62° 14' East 77.00 feet; thence North 68° 25' East 68.19 feet to a point distant 22.5 feet Westerly at right angles from said center line of Spur Track; thence South 21° 35' East 22.5 feet Westerly from and parallel to said center line of Spur Track a distance of 300.00 feet to the true place of beginning and the end of this description; containing an area of 1.335 acres, more or less, excepting therefrom the reservations noted on the face of the Deed.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Investment Fund, Inc. the 17th day of Dec. A.D., 19 90 at 12:40 o'clock P.M., and duly recorded in Vol. M90 of Deeds on Page 24908.

Evelyn Biehn - County Clerk  
By Pauline Mullendore

FEE \$43.00