

32887

MTC 40214KA
WARRANTY DEEDVol. MM Page. 4603

TIMM BURR, INC., an Oregon Corporation,
Grantor(s) hereby grant, bargain, sell and convey to:
JELD-WEN, inc., an Oregon Corporation,
Grantee(s) and grantee's heirs, successors and assigns the following described
real property, free of encumbrances except as specifically set forth herein in
the County of KLAMATH and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

SUBJECT TO: all those items of record and those apparent upon the land, if
any, as of the date of this deed and those shown below, if any:

See Exhibit B for a list of exceptions which is made a part hereof by
this reference.

and the 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.

FEB 14 AM 1:31

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST
PRACTICES AS DEFINED IN ORS 30.930.

97

The true and actual consideration for this conveyance is \$ 25,000.00.

Until a change is requested, all tax statements shall be sent to Grantee at the
following address: 3250 LAKEPORT BLVD., KLAMATH FALLS, OR 97601

Dated this 14 day of February, 1997.

TIMM BURR, INC.

BY: Randy L. Shaw PRESIDENT
RANDY L. SHAW

STATE OF OREGON, County of KLAMATH) ss.

This instrument was acknowledged before me on February 14, 1997

by RANDYL SHAW

as PRESIDENT

of TIMM-BURR, INC.

Kimberly A. Reves
Notary Public of Oregon

My commission expires 5/25/2000

ESCROW NO. MT40214-KA

Return to:

JELD-WEN, inc.

3250 LAKEPORT BLVD.

KLAMATH FALLS, OR 97601



OFFICIAL SEAL
KIMBERLY A. REVES
NOTARY PUBLIC-OREGON
COMMISSION NO. 051915
MY COMMISSION EXPIRES MAY 25, 2000

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

The W1/2 N1/2 S1/2 NE1/4 SE1/4 of Section 13, Township 30 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2:

The E1/2 N1/2 S1/2 NE1/4 SE1/4 of Section 13, Township 30 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 3:

The S1/2 S1/2 NE1/4 SE1/4 of Section 13, Township 30 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 4:

The S1/2 of the SW1/4 of the NW1/4 of Section 4, Township 37 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 5:

The W1/2 of the W1/2 SE1/4 SW1/4 of Section 4, Township 37 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 6:

The E1/2 of the W1/2 SE1/4 SW1/4 of Section 4, Township 37 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 7:

The N1/2 NE1/4 SE1/4 SW1/4 of Section 4, Township 37 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 8:

The E1/2 W1/2 SE1/4 SW1/4 and the W1/2 NW1/4 SE1/4 SW1/4 in Section 6, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 9:

The E1/2 SE1/4 SW1/4 in Section 6, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 10:

The NE1/4 NE1/4, and the N1/2 SE1/4 NE1/4 of Section 1, Township 33 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 11:

The S1/2 SE1/4 NE1/4 of Section 1, Township 33 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 12:

The E1/2 NE1/4 NW1/4 SW1/4 of Section 4, Township 37 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

EXHIBIT " " "
(page 1 of 2)

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. Reservations as contained in deed recorded June 25, 1957 in Volume 293, page 538, Deed Records of Klamath County, Oregon, as follows:
"All subsurface rights, except water, are hereby reserved, in trust, for the heirs of Ollie White, deceased Klamath Allottee No. 1366."
(Affects Parcels 1, 2 and 3)
3. An easement created by instrument, subject to the terms and provisions thereof,
Dated: January 15, 1980
Recorded: January 15, 1980
Volume: M80, page 870, Microfilm Records of Klamath County, Oregon
For: Joint user roadway
Affects: A 30 foot strip along the Westerly boundary of Parcel 4
4. Reservations and restrictions as contained in instruments recorded in Volume 304, page 383 and in Volume 304, page 381, Deed Records of Klamath County, Oregon, to wit:
"There is reserved unto the United States National Bank of Portland, Trustee for Eda Mae Chocktook Jackson, all subsurface rights in accordance with Section 8 (b), Act of Congress approved August 13, 1954 (68 Stat. 72, 722) as amended by Act of August 14, 1957 (21 Stat. 347)."
(Affects Parcels 5, 6 and 7)
5. Reservations and restrictions as contained in Land Status Report, recorded December 1, 1960 in Volume 325, page 595, Deed Records of Klamath County, Oregon.
(Affects Parcels 5, 6 and 7)
6. Reservations of subsurface rights, subject to the terms and provisions thereof, to the United States National Bank, trustee for Eda Mae Chocktook (Smith) Jackson, as disclosed by instrument recorded May 4, 1959 in Book 312, page 182, Deed Records of Klamath County, Oregon.
(Affects Parcels 5, 6 and 7)
7. Reservation of subsurface rights as disclosed by Bargain and Sale Deed from First National Bank of Oregon to Arlene Riddle Hutchinson dated June 18, 1975, recorded June 30, 1975 in Volume M75, page 7051, Microfilm Records of Klamath County, Oregon, as follows:
"An undivided 48/756 interest, subject to the courtesy right of Andrew Billy, in the Eveline Schonchin Allotment #446 described as: SE1/4 Section 31, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon. An undivided 1/315 interest, subject to the courtesy right of Andrew Billy, in the Doctor George Allotment #333 described as: SW1/4 Section 4, Township 37 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon. (Instrument affects other property also.)
8. An easement created by instrument, subject to the terms and provisions thereof,
Dated: May 7, 1980
Recorded: May 27, 1980
Volume: M80, page 9607, Microfilm Records of Klamath County, Oregon
Recorded: May 23, 1972
Volume: M72, page 5503, Microfilm Records of Klamath County, Oregon
Recorded: May 23, 1972
Volume: M72, page 5504, Microfilm Records of Klamath County, Oregon
For: An easement for joint user roadway and all other roadway purposes over and across a 30 foot wide strip of land lying South of adjoining and parallel to the Northerly boundary of Parcels 5, 6 and 7

9. Reservations contained in Deed of Tribal Property from United States of America dated July 13, 1959 and recorded July 20, 1959 in Volume 314, page 291, Deed Records of Klamath County, Oregon, as follows:

"Title to the above described property is conveyed subject to a 60-foot right of way for Indian Service Road No. S-61 (1), approved by M. M. Zollar, Superintendent, Klamath Indian Agency, Klamath Agency, Oregon, February 27, 1959, pursuant to the provisions of the Act of Congress dated February 5, 1948, (62 Stat. 18; 25 U.S.C. 323-328); Public Law 587, dated August 13, 1954 (68 Stat. 718) Section 17) and amended by the Act of August 23, 1958 (P. L. 85-731) and Departmental Regulations (25 CFR 161, 22 FR 248), and subject to prior valid existing right of adverse claim; and subject also the logging railroad right of way of the Weyerhaeuser Timber Company approved September 6, 1940 by the Assistant Secretary of the Interior as a revocable permit under the general supervisory authority over Indian Affairs conferred upon the Secretary of the Interior by Section 463 Revised Statutes (25 U.S.C. 2), subject to the conditions of the Indian Office recommendation approved September 6, 1940 and the stipulations mentioned therein (I.O. 58034-39-371).

Title to the above described property is conveyed subject to all other existing easements for public roads and highways, for public utilities and for railroads and pipe lines and for any other easements or rights of way of record; and there is hereby reserved any and all roads, trails, telephone lines, etc., actually constructed by the United States with the rights of the United States to maintain, operate or improve the same so long as needed or used for or by the United States. (Dept. Instr. January 13, 1916, 44 L.D. 513)."

(Affects Parcels 10 and 11)

10. Reservation of 50% of all mineral rights as set forth in Deed from Klamath Lumber and Box Co., Inc., an Oregon corporation dated November 12, 1962 and recorded November 23, 1962 in Volume 341, page 478, Deed Records of Klamath County, Oregon.
(Affects Parcels 10 and 11)

11. Reservations contained in deed recorded October 6, 1958 in Volume 304, page 392, Deed Records of Klamath County, Oregon, as follows:

"There is reserved unto the United States National Bank of Portland, Trustee for Eda Mae Chocktoot Jackson, all subsurface rights in accordance with Section 8, (b) Act of Congress approved August 13, 1954 (68 Stat. 720, 722), as amended by Act of August 14, 1957 (71 Stat. 347)."

(Covers Parcel 12)

12. Reservations contained in deed recorded October 15, 1958 in Volume 304, page 727, Deed Records of Klamath County, Oregon, as follows:

"The reservation of an undivided 161/168 interest in all subsurface rights, except water, to the heirs of Sallie George, their heirs and assigns, under the terms approved by the Secretary of the Interior, March 25, 1946, pursuant to said Act."
(Affects Parcel 12)

13. An easement created by instrument, subject to the terms and provisions thereof, Dated: September 19, 1969

Recorded: July 21, 1970

Volume: M70, page 6006, Microfilm Records of Klamath County, Oregon

For: Joint user roadway

Affects: A 30 foot wide strip along the Northerly boundary of Parcel 12

14. Notwithstanding Paragraph 4 of the insuring clauses of the policy, the policy will not insure against loss arising by reason of any lack of a right of access to and from the land.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 14th day
of February A.D. 19 97 at 11:31 o'clock A. M. and duly recorded in Vol. 4607
of Deeds on Page 4603

FEE \$45.00

Bernetha G. Letsch, County Clerk
by Kathleen Rose