

97 JUN 12 P3:09

K-50698

WARRANTY DEED

Recording requested by and
when recorded return to:

John D. Sorlie
Bryant, Lovlien & Jarvis
40 N.W. Greenwood
Bend, OR 97701

Unless a change is requested, all
tax statements shall be sent to:

Gilchrist Real Estate LLC
P.O. Box 637
Gilchrist OR 97737

The true consideration for this transfer is \$400,000.00.

CRESCENT OIL COMPANY, INC., an Oregon corporation, Grantor, conveys and warrants to GILCHRIST REAL ESTATE LLC, an Oregon limited liability company, Grantee, the following described real property located in Klamath County, Oregon, free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A ATTACHED HERETO

SUBJECT TO the following:

1. Subsurface Rights reserved in Warranty Deed between Chevron U.S.A. Inc., a California corporation to Vern L. Harley, Inc., an Oregon corporation, dated August 11, 1980, recorded August 29, 1980, in Volume M80 page 16490, Deed Records of Klamath County, Oregon. Affects Parcels 1 and 2.
2. Telephone Line Right-of-Way Easement, including the terms and provisions thereof, from Rutherford John Burkett and Mary Ann Burkett and Richard E. Jessup and Virginia C. Jessup, to Telephone Utilities of Eastern Oregon, Inc., an Oregon corporation, dated May 12, 1983, recorded September 13, 1983, in Volume M83 page 15593, Deed Records of Klamath County, Oregon. Affects Parcel 3.
3. Easement, including the terms and provisions thereof, from Crescent Oil Company, to State of Oregon through its Department of Environmental Quality, dated July 26, 1991, recorded August 6, 1991, in Volume M91 page 15344, Deed Records of Klamath County, Oregon. Affects Parcel 3.
4. Easement Agreement, including the terms and provisions thereof, by and between John and Mary Burkett and Crescent Oil Co., Inc., dated August 5, 1991, recorded August 6, 1991, in Volume M91 page 15342, Deed Records of Klamath County, Oregon.

Bryant Lovlien & Jarvis
ATTORNEYS AT LAW

40 N.W. Greenwood • P.O. Box 1151 • Bend, Oregon 97709-1151 • (541) 382-4331 • Fax (541) 389-3386

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.

DATED this 11th day of June, 1997.

Wayne G. Ernst
WAYNE G. ERNST, Vice President

STATE OF OREGON, County of Deschutes) ss:

The foregoing instrument was acknowledged before me this 11th day of June, 1997, by WAYNE G. ERNST, known to me to be the Vice President of Crescent Oil Company, Inc.



Sharon Kunkel
Notary Public for Oregon
My Commission Expires: 2/28/98

EXHIBIT A

LEGAL DESCRIPTION

The following described real property situated in Klamath County, Oregon:

PARCEL 1:

A parcel of land the same containing portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, the said parcel of land being described as follows:

Beginning at a point on the East line of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 30, which point is marked by a 30 inch steel bar monument and which point is located South 0°17'46" West a distance of 331.74 feet from the Northeast corner of the said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 (said corner being also marked by a 30 inch steel bar monument); thence South 89°10'03" East for 77.42 feet along the South line of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ to an intersection with the Westerly boundary of the right of way of The Dalles-California State Highway, said right of way having a total width of 60 feet, to a 30 inch steel bar monument; thence in a Southwesterly direction along the curved Westerly boundary of said right of way, the said curve having a radius of 1940.00 feet, for a distance of 145.10 feet (the chord of said portion of said curve bearing South 32°35'42" West for a distance of 145.06 feet) to a 30 inch steel bar monument located on the East boundary of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30; thence North 0°17'46" East along the said subdivision line for a distance of 38.66 feet to a steel bar monument, which point is further located South 0°17'46" West a distance of 84.72 feet from the point of beginning above described; thence South 39°33'20" West for 157.82 feet to a 30 inch steel bar monument; thence North 50°26'40" West for 154.53 feet to a 30 inch steel bar monument located on the Southeasterly boundary of the right of way of the Gilchrist Lumber Company Railroad, said right of way having a width of 100 feet; thence North 39°37'00" East along said right of way boundary for a distance of 346.42 feet to a 30 inch steel bar monument located on the East line of the said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, which point is also located South 0°17'46" West, a distance of 172.90 feet from the Northeast corner of the said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 30; thence along said subdivision line South 0°17'46" West, a distance of 158.84 feet to the point of beginning.

PARCEL 2:

That portion of Lot 4, (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point on the East side of said Lot 4, which is South 0°17'46" West, a distance of 430.76 feet from the Northeast corner of said Lot 4, which point is also the intersection of the relocated Westerly right of way line of The Dalles-California Highway with the Easterly line of said Lot 4; thence North 0°17'46" East a distance of 14.3 feet to a point; thence South 39°33'20" West

along the Easterly line of property conveyed to Standard Oil Company of California by Deed recorded in Volume 125 at page 318, Deed records of Klamath County, Oregon, a distance of 132.82 feet; thence South 50°26'40" East a distance of 34.0 feet, more or less, to the relocated Westerly right of way line of The Dalles-California Highway; thence Northeasterly along said Westerly right of way line to the point of beginning.

EXCEPTING THEREFROM that portion of the SW¼ of the SW¼ of Section 30, Township 24 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point which is South 0°17'46" West, a distance of 416.46 feet, and South 39°33'20" West, a distance of 132.82 feet from the Northeast corner of said SW¼ of the SW¼ of Section 30; thence South 39°33'20" West, a distance of 25 feet to a point; thence 50°26'40" West, a distance of 154.53 feet to a point; thence North 39°37' East, a distance of 25 feet to a point; thence South 50°26'40" East, a distance of 154.53 feet, more or less, to the point of beginning.

EXCEPT from above described Parcel 1 that portion conveyed to the State of Oregon, by and through its State Highway Commission by Bargain and Sale Deed recorded December 11, 1943, in Volume 160 page 405, Deed records of Klamath County, Oregon.

PARCEL 3.

Lots 5 and 6, Block 1, ORIGINAL TOWN OF CHEMULT, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

TOGETHER WITH: A nonexclusive perpetual easement over and across Lot 4 of Block 1, for the following purposes: Access to said Lots 5 and 6 from U.S. Highway 97, and parking of vehicles.

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EXHIBIT A

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title the 12th day

of June A.D., 19 97 at 3:09 o'clock P. M., and duly recorded in Vol. M97

of Deeds on Page 18140.

By Bernetha G. Letsch, County Clerk

FEE \$45.00 By Kathleen Ross