

02 JUN 28 PM 10:49

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AFTER RECORDING RETURN TO:  
 PINE CONE LLC  
 P.O. BOX 257  
 KLAMATH FALLS, OREGON 97601

State of Oregon, County of Klamath  
 Recorded 06/28/2002 10:49 a m.  
 Vol M02, Pg 37279-82  
 Linda Smith, County Clerk  
 Fee \$ 36<sup>00</sup> # of Pgs 4

MAIL TAX STATEMENTS TO:  
 SAME AS ABOVE

1978-40

MTC S7043 -KR

QUITCLAIM DEED

UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, Grantor, (formerly known as Southern Pacific Transportation Company, a Delaware corporation) releases and quitclaims to PINECONE, LLC, a limited liability company of the State of Oregon, Grantee, and unto its successors and assigns forever, all right, title and interest in and to the real property (hereinafter the "Property") situated in the Klamath Falls, Klamath County, State of Oregon, as more particularly described in **Exhibit A**, hereto attached and hereby made a part hereof.

EXCEPTING from this quitclaim and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered underlying the Property, including without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the Property, and in such manner as not to damage the surface of the Property, or to interfere with the use thereof by the Grantee, its successors and assigns.

The true and actual consideration for this conveyance is \$147,995.10.

Except as may be otherwise provided in a written assignment or other written agreement between Grantor and Grantee, Grantor reserves all income (including, without limitation, rentals, license fees and royalties from any existing license and other existing rights to use the Property and renewals thereof) granted by Grantor or Grantor's predecessors in interest. Grantee agrees that if Grantee receives any such income, Grantee will promptly forward the income to Grantor.

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

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USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR  
FOREST PRACTICES AS DEFINED IN ORS 30.930 (ORS 93.040).

DATED this 18 day of June, 2002.

Attest:

UNION PACIFIC RAILROAD COMPANY

  
Assistant Secretary

By: 

Title: Assistant Vice President

(Seal)

Until a change of address is requested, all tax statements shall be sent to the  
following address:

Pinecone, LLC  
P.O. Box 257  
Klamath Falls, Oregon 97601

ACKNOWLEDGMENT

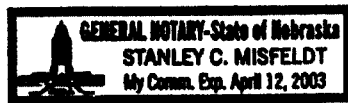
STATE OF NEBRASKA     )  
                                           ) ss.  
 COUNTY OF DOUGLAS    )

On June 18, 2002, before me, a Notary Public in and for said County and State, personally appeared Mary Liburt and Mike Herman who are the Assistant Vice President and the Assistant Secretary, respectively, of Union Pacific Railroad Company, a Delaware corporation, and who are personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to in the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Stanley C Misfeldt  
 Notary Public

(Seal)



**LEGAL DESCRIPTION**  
**PROPERTY TRANSFER FROM THE SOUTHERN PACIFIC COMPANY**  
**TO PINE CONE, LLC**

January 21, 2002

A TRACT OF LAND SITUATED IN THE EAST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 32 AND THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 32, EVIDENCED BY A BRASS CAP IN A MONUMENT BOX; THENCE SOUTH 69°36'00" WEST, 38.10 FEET; THENCE SOUTH 38°56'00" WEST, 16.47 FEET; THENCE SOUTH 10°40'50" WEST, 72.50 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SOUTH 5<sup>TH</sup> STREET AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID RIGHT-OF-WAY NORTH 78°37'30" EAST, 176.63 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 97.67 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 21°49'00", AN ARC DISTANCE OF 37.19 FEET (THE LONG CHORD OF WHICH BEARS NORTH 89°40'36" EAST, 36.97 FEET) TO A POINT OF NON-TANGENCY AND THE TRUE POINT OF BEGINNING OF THAT TRACT OF LAND DESCRIBED IN VOLUME M94, PAGE 35320 OF THE KLAMATH COUNTY DEED RECORDS; THENCE LEAVING SAID RIGHT-OF-WAY AND ALONG THE WESTERLY LINE OF SAID TRACT SOUTH 10°43'36" WEST, 687.12 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 573.14 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 61°59'03", AN ARC DISTANCE OF 620.04 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 20°13'02" EAST, 590.24 FEET) TO A POINT OF TANGENCY; THENCE NORTH 51°04'00" WEST, 399.65 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 487.68 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 46°15'29", AN ARC DISTANCE OF 393.73 FEET (THE LONG CHORD OF WHICH BEARS NORTH 12°26'54" WEST, 383.12 FEET) TO A POINT OF TANGENCY; THENCE NORTH 10°40'50" EAST, 578.70 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINS 4.53 ACRES, MORE OR LESS.

BEARINGS ARE BASED UPON THE PLAT OF KLAMATH ADDITION TO LINKVILLE ON FILE IN THE OFFICE OF THE KLAMATH COUNTY SURVEYOR.