

'04 DEC 6 AM 11:57

Vol M04 Page 83393

State of Oregon, County of Klamath
Recorded 12/06/04 11:57 a m
Vol M04 Pg 83393 - 98
Linda Smith, County Clerk
Fee \$ 46⁰⁰ # of Pgs 6

Grantor: KLAMATH COUNTY INVESTMENT FUND
601 Southwest Second Avenue, Suite 2100
Portland, Oregon 97204

Grantee: KLAMATH GEOTHERMAL, LLC
601 Southwest Second Avenue, Suite 2100
Portland, Oregon 97204

Until a change is requested, send tax statements to:
Robert E. Maloney, Jr.
Lane Powell Spears Lubersky LLP
601 Southwest Second Avenue, Suite 2100
Portland, Oregon 97204

After recording return to:
Robert E. Maloney, Jr.
ek: Lane Powell Spears Lubersky LLP
601 SW Second Avenue, Suite 2100
Portland, Oregon 97204

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That **Klamath County Investment Fund, Inc.**, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell, and convey to **Klamath Geothermal, LLC**, as grantee, and unto grantee's heirs, successors, and assigns, all of the following described real property with the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, situated in the county of Klamath, state of Oregon, and legally described as follows, to-wit:

All of grantor's interest in and to the property interest described more fully under that certain Bargain and Sale Deed dated December 14, 1990, a copy of which is attached hereto marked Exhibit A and incorporated herein by reference as if set forth in full.

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 from this transfer, stated in terms of dollars, is \$1,000.

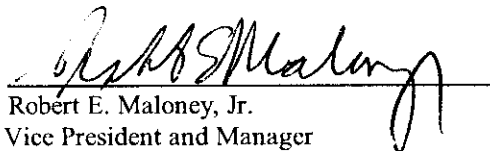
In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and individuals.

In Witness Whereof, the grantor has executed this instrument this 30 day of November, 2004.

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.

KLAMATH COUNTY INVESTMENT FUND

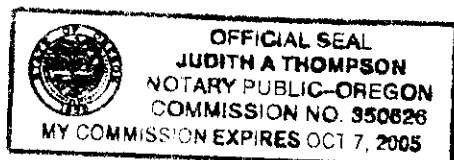
By:


Robert E. Maloney, Jr.
Vice President and Manager

ACKNOWLEDGMENT

STATE OF OREGON)
) ss.
County of Multnomah)

This Bargain and Sale Deed was acknowledged before me on November 30, 2004, by ROBERT E. MALONEY, JR., as Vice President of KLAMATH COUNTY INVESTMENT FUND.



Judith A. Thompson
Notary Public for Oregon
My commission expires: 10/7/05

Unofficial Copy

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 d/ba 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:

83395

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 or part of the consideration (indicate which). (The sentence between the symbols Φ is not applicable, should be deleted. See ORS 99-030.)~~

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 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,

County of Multnomah } ss.

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

[Signature]
Notary Public for Oregon

(SEAL) My commission expires: 6-19-93

(ORS 194.570)

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

SPACE RESERVED
FOR
RECORDER'S USE

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

Warranty Deed

249C9

83396

This Indenture

December

11th

day of

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 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 successor 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 party 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
Robert E. Maloney, PresidentWilliam J. Matheson
Secretary

Coudrey's Form No. 508 - WARRANTY - Short Form

PAGE

Exhibit A

B 1

83397

State of California,

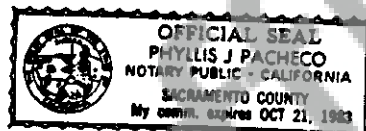
County of Sacramento

ss.

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 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 person s described in and whose name s 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 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 11, 1979
 Recorded at the Request of _____
 at min. post, of elect M.
 in Volume _____ of _____
 page _____
 County Records _____
 By _____ Recorder _____
 Deputy Recorder _____

FORM 508

EXHIBIT A
 PAGE 3

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

FEE \$43.00

Evelyn Biehn - County Clerk

By D. A. Miller

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D. ✓ I ✓

EXHIBIT
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