

MTT-69983 LR

**M05-70482**

Klamath County, Oregon

12/06/2005 10:29:27 AM

Pages 2 Fee: \$26.00

AFTER RECORDING, RETURN TO:

Pine Cone, LLC.  
Post Office Box 257  
Klamath Falls OR 97601

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DEED

Klamath Wingwatchers, Inc., an Oregon nonprofit corporation, Grantor, conveys to Pine Cone, LLC., an Oregon Limited Liability Company, Grantee, all of Grantor's interest in the following described real property:

Lot 2 of Tract 1430 - TIMBERMILL SHORES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

This Deed is made to clear Grantee's title in and to all of said Lot 2.

This conveyance and Grantee's acceptance of this Deed is subject to the following conditions and reservations:

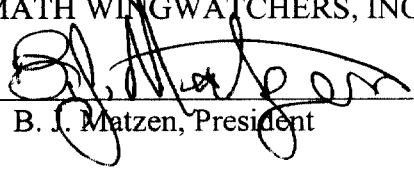
1. Reservations, restrictions, easements, rights of way of record and those apparent on the land;
2. The terms and conditions of the Lake Ewauna Trail Easement made by and between Grantee and the County of Klamath recorded in Volume M04 at Page 62641 of the microfilm records of the Clerk of Klamath County, Oregon;
3. The terms and conditions of that certain Recreation/Access Easement Lease made by and between the County of Klamath and the City of Klamath Falls dated July 30, 2004;
4. The Grantor and Grantee acknowledge that the subject land and Grantee's adjoining land were historically used as a wood products industrial site, and Grantee agrees that it is responsible for the remediation and clean-up costs for any hazardous substances, as defined in state and federal law, discovered in or upon the subject land, provided that such hazardous substances were located within the subject land at the time of this Deed or migrate to the subject land from Grantee's adjoining land. Grantee shall, in strict conformance with the applicable laws and regulations, address the existence of the hazardous material in a manner approved by the Oregon Department of Environmental Quality. The parties acknowledge that such remedial actions may include leaving the hazardous substance undisturbed and covering it or other action that does not require the removal of the substance.

26.00

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.

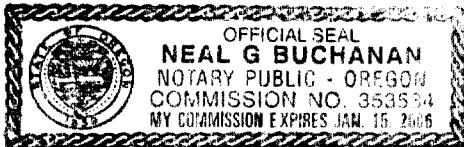
KLAMATH WINGWATCHERS, INC.

By: \_\_\_\_\_

  
B. J. Matzen, President

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on September 27, 2005 by B. J. Matzen, as President of Klamath Wingwatchers, Inc.



  
Notary Public for Oregon

My Commission Expires: 1-15-06