2024-009663

Klamath County, Oregon

11/05/2024 01:39:01 PM

Fee: \$102.00

AFTER RECORDING, RETURN TO AND SEND TAX STATEMENTS TO:

Knife River Corporation 1150 West Century Avenue Bismarck, North Dakota 58503

STATUTORY SPECIAL WARRANTY DEED

ALBINA HOLDINGS, INC., an Oregon corporation (which took title as ALBINA FUEL COMPANY, an Oregon corporation), with an address of 801 Main Street, Vancouver, WA 98660 ("Grantor"), conveys and specially warrants to KENT'S OIL SERVICE, a California corporation, whose address is 1150 West Century Avenue, Bismarck, North Dakota 58503 ("Grantee"), the following described real property free of encumbrances created or suffered by Grantor, except as specifically set forth on Exhibit B attached hereto:

Land in Klamath County, Oregon, described more particularly in Exhibit A, attached hereto.

SUBJECT TO: the encumbrances described in Exhibit B, attached hereto.

The true consideration for this conveyance is **\$4,225,437**. (Here comply with requirements of ORS 93.030)

Dated as of October 30, 2024, and delivered and made effective as of November 2, 2024.

(signature pages follow)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 30 day of October, 2024.

Grantor

ALBINA HOLDINGS, INC., an Oregon corporation

Name: Gregory Scott Arntson Title: President

STATE OF REGION SS

The foregoing instrument was acknowledged before me on this 30 day of (24x) by 61544 first as President of the Albina Holdings, Inc., an Oregon corporation, who acknowledged such instrument to be the free and voluntary act and deed of such corporation, and on oath stated that they were duly authorized to execute such instrument.

OFFICIAL STAMP

MAXIMILIAN DAVID BURNS

NOTARY PUBLIC - OREGON

COMMISSION NO. 1050640

MY COMMISSION EXPIRES AUGUST 05, 2028

Printed Name: Author Maximilia, David Bula

Notary Public in and for the State of Dieson

EXHIBIT A

Legal Description

Parcel 1:

A tract of land situated in the NW1/4 NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the South line of Hilyard Avenue, 867.74 feet East (932.35 feet as disclosed by County Survey #1709) of the intersection of the South line of Hilyard Avenue and the East line of Washburn Way; thence South 00° 26' 25" West 907.89 feet to a point; thence East 350.00 feet to a point; thence Northerly along the Westerly right of way line of the Burlington Northern Railroad to a point on the South boundary of Hilyard Avenue; thence West 300.41 feet to the point of beginning.

SAVING AND EXCEPTING any portion lying within the boundaries of Hilyard Avenue.

Parcels 2-6 Not Applicable.

Parcel 7:

A tract of land in the N1/2 of the NW1/4 of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being that portion of that certain 2.9 acre tract of land described in deed dated October 27, 1939 from Western Cities Company to Great Northern Railway Company recorded in Volume 125, page 487, records of said, lying Northerly of the following described line:

Commencing at a point on the South line of Hilyard Avenue, 867.74 feet East (932.35 feet as disclosed by County Survey No. 1709) of the intersection of the South line of Hilyard Avenue and the East line of Washburn Way; thence South 0°26'25 West, 907.89 feet to the true point of beginning for the line herein described; thence East 455.00 feet to the point of beginning. Excepting therefrom improvements as reserved by BNSF Railway Company, a Delaware corporation, in Quitclaim Deed recorded October 20, 2009 ats Instrument 2009-013636, Deed Records of Klamath County, Oregon.

EXHIBIT B

Encumbrances

- 1. The 2024-2025 Taxes: A lien not yet due or payable.
- 2. Right-of-way conveyed to the U.S. Government, including the terms and provisions thereof:

Recorded: September 15, 1948

Volume: 225, Page 91 (Affects Parcel 7)

3. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: South Suburban Sanitary District

Recorded: August 18, 1958 Volume: 302, page 279 (Affects Parcel 1)

4. Reservations and Easements in favor of the United States, including the terms and provisions thereof;

Recorded: November 24, 1939 Instrument: 125, page 487

(Affects Parcel 7)

5. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: Oregon Water corporation, a public utility of the State of Oregon

Recorded: December 23, 1974 Volume: M74, page 16152

(Affects Parcel 1)

6. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: PacifiCorp, an Oregon corporation

Recorded: April 24, 2002 Volume: M02, page 24108 (Affects Parcel 1 and Parcel 7)

7. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:

Granted To: PacifiCorp Recorded: June 17, 2005 Volume: M05, page 45525 (Blanket)

8. The provisions contained in Quitclaim Deed,

Recorded: October 20, 2009, Instrument No.: 2009-013636

(Affects Parcel 7)

9. Environmental Indemnification Agreement, including the terms and provisions thereof,

Recorded: April 9, 2012

Instrument No.: 2012-003623

(Blanket)

10. Easement and Equitable Servitudes, including the terms and provisions thereof,

Recorded: June 11, 2012 Instrument No.: 2012-006298

(Blanket)