

KNOW ALL MEN BY THESE PRESENTS, That Southern Pacific Transportation Company, a Delaware corporation, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Port of Tillamook Bay 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 Tillamook, State of Oregon, described as follows, to-wit:

Those listed in Exhibit A - The conveyance of which is subject to the conditions specified in Exhibit B.

(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 \$2,800,000.00

① However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). ② (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

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 30th day of January

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.)

(ORS 194.570)

STATE OF ~~California~~ California } ss.
City and County of San Francisco }

California, City and County of San Francisco } ss.

The foregoing instrument was acknowledged before me this 30th day of January, 1990, by W. B. Curtis, Vice President and T. F. O'Donnell, Secretary

The foregoing instrument was acknowledged before me this 30th day of Jan., 1990, by W. B. Curtis Vice president, and by T. F. O'Donnell Secretary of Southern Pacific Transportation Company a Delaware corporation, on behalf of the corporation.

Notary Public for ~~California~~ California

Notary Public for ~~California~~ California

(SEAL)

My commission expires:

My commission expires:

(If executed by a corporation, affix corporate seal)

Southern Pacific Transportation Company
Southern Pacific Building, 1 Market Plaza
San Francisco, CA 94105

Port of Tillamook Bay
4000 Blimp Boulevard
Tillamook, OR 97141

After recording return to:

MARK S. DODSON, ESQ.
Lindsay, Hart, et. al.
222 S.W. Columbia, Ste. 1800
Portland, NAME, ADDRESS, ZIP OR 97201

Until a change is requested all tax statements shall be sent to the following address.

Port of Tillamook Bay
4000 Blimp Boulevard
Tillamook, OR 97141
NAME, ADDRESS, ZIP

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, } ss.

County of

I certify that the within instrument was received for record on the day of 19 at o'clock M., and recorded in book/roll/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

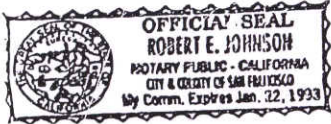
TITLE

By Deputy

STATE OF CALIFORNIA
City and County of San Francisco

On this 30TH day of JANUARY in the year One Thousand Nine Hundred and Ninety
before me, ROBERT E. JOHNSON, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared

W. A. CURTIS & T. F. O'DONNELL



known to me (or proved to me on the basis of satisfactory evidence) to be the ITS VICE
PRESIDENT & SECRETARY
of the corporation _____ described in and that executed the within instrument, and also known to me
to be the person S who executed it on behalf of the corporation _____ therein named and
The Y acknowledged to me that such corporation _____ executed the same.

IN WITNESS WHEREOF, I have herewith set my hand and affixed my official seal at my office in the City
and County of San Francisco, the day and year in this certificate first above written.

Robert E. Johnson

Notary Public in and for the City and County of San Francisco, State of California.

Corporation

My commission Expires January 22, 1993

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01/31/90

EXHIBIT "A"

Those parcels of of land situate in the County of Tillamook , State of Oregon as described in the those deeds recorded in the records of said County, between Pacific Railway and Navigation Company (now Southern Pacific Transportation Company) as Grantee and;

J.W. Cochran et al, Grantor, recorded 12/07/11 in Deed Book 23 at page 192,

E.T. Davis, Grantor, recorded 07/13/09 in Deed Book 11 at page 485,

John M. Carpenter et ux, Grantor, recorded 11/21/12 in Deed Book 25 at page 162,

Portland Timber Co., Grantor, recorded 12/07/11 in Deed Book 23 at page 191,

Oregon Logging & Timber C, Grantor, recorded 12/07/11 in Deed Book 23 at page 194,

Thad B. Preston et ux, Grantor, recorded 12/07/11 in Deed Book 23 at page 189,

F.S. Stanley et al., Grantor, recorded 04/28/09 in Deed Book 11 at page 113,

Emily Waterhouse et vir., Grantor, recorded 12/31/09 in Deed Book 13 at page 332,

Andrew J. Kroenert et al, Grantor, recorded 11/08/09 in Deed Book 13 at page 32,

Mary Waterhouse, Grantor, recorded 12/31/09 in Deed Book 13 at page 334,

Iver Johnson, Grantor, recorded 03/21/10 in Deed Book 16 at page 23,

John J. Rupp et ux, Grantor, recorded 12/02/09 in Deed Book 13 at page 245,

Northern Pac. Ry. Co., Grantor, recorded 01/02/15 in Deed Book 30 at page 372,

Hiram W. Sibley et ux, Grantor, recorded 12/27/11 in Deed Book 23 at page 301,

Cheboygan Timber Co., Grantor, recorded 11/12/09 in Deed Book 13 at page 71,

3 Cheboygan Timber Co., Grantor, recorded 11/10/11 in Deed Book 23 at page 89,

C.D. Latourette et ux, Grantor, recorded 11/08/09 in Deed Book 13 at page 28,

Alfred A. Smith, Grantor, recorded 12/24/09 in Deed Book 13 at page 313,

Geo. A. Ludtke et ux., Grantor, recorded 10/25/09 in Deed Book 12 at page 467,

G.W. Kiger et al, Grantor, recorded 10/29/09 in Deed Book 13 at page 174,

U.S. Government, Grantor, Act of Congress 75 ,

U.S. Government, Grantor, Act of Congress 75 ,

Clarence Doughney et ux, Grantor, recorded 02/17/10 in Deed Book 13 at page 452,

Du Bois Lumber Co., Grantor, recorded 12/27/11 in Deed Book 23 at page 298,

The Whitney Co. (Ltd.), Grantor, recorded 10/08/09 in Deed Book 12 at page 355,

Anna Kunze et al., Grantor, recorded 11/04/09 in Deed Book 13 at page 15,

S.M. Batterson et al., Grantor, recorded 09/04/09 in Deed Book 12 at page 153,

Hammond Lumber Co., Grantor, recorded 12/27/11 in Deed Book 23 at page 308,

Mary M. Bigelow et vir., Grantor, recorded 12/24/09 in Deed Book 13 at page 312,

P.B. Vohtress et ux, Grantor, recorded 11/20/09 in Deed Book 13 at page 98,

Solan Schiffmann et ux, Grantor, recorded 10/25/09 in Deed Book 12 at page 466,

The Wheeler Lumber Co., Grantor, recorded 03/08/10 in Deed Book 16 at page 7,

Felix Roy, Grantor, recorded 07/14/09 in Deed Book 11 at page 516,

Elnora F. Eason et vir, Grantor, recorded 07/14/09 in Deed Book 11 at page 515,

Mary E. Kinney et ux, Grantor, recorded 09/27/09 in Deed Book 13 at page 196,

K.W. & W.S. Kinney, Grantor,
O.A. Lammen et ux, Grantor, recorded 07/14/09 in Deed Book 11 at page 514,

Max F. Fischer et ux, Grantor, recorded 07/24/09 in Deed Book 11 at page 565,

Max F. Fischer et ux, Grantor, recorded 09/07/12 in Deed Book 24 at page 363,

Ella Himpel, Grantor, recorded 12/02/09 in Deed Book 13 at page 246,

Wilhelm Zimmerman et ux, Grantor, recorded 06/10/09 in Deed Book 11 at page 331,

Chas. W. Mead et ux, Grantor, recorded 11/02/09 in Deed Book 13 at page 3,

Laura Newell et vir., Grantor, recorded 07/24/09 in Deed Book 11 at page 564,

Coleman H. Wheeler et ux, Grantor, recorded 03/08/10 in Deed Book 15 at page 2,

Chas. Seaman et ux, Grantor, recorded 06/04/09 in Deed Book 11 at page 285,

Wheeler Lumber Co., Grantor, recorded 08/03/10 in Deed Book 16 at page 5,

J.L. Vosbura et ux, Grantor, recorded 11/21/12 in Deed Book 25 at page 163,

Willie G. Dubois et vir., Grantor, recorded 04/25/12 in Deed Book 24 at page 40,

Wheeler Lumber Co., Grantor, recorded 03/04/15 in Deed Book 30 at page 604,

Wheeler Lumber Co., Grantor, recorded 03/08/10 in Deed Book 16 at page 3,

Cora E. Wheeler et ux, Grantor, recorded 03/08/10 in Deed Book 16 at page 1,

Nehalem Packing Co., Grantor, recorded 12/20/09 in Deed Book 13 at page 291, excepting therefrom that portion thereof as described in deed to Charles W. and Maxine S. Smith recorded 12/13/1978 in Book 260 as Doc. 232824,

M.J. Kinney, Grantor, recorded 08/05/09 in Deed Book 11 at page 616,

John L. Barnard et ux, Grantor, excepting therefrom that portion thereof as described in that Grant of Easement to the State of Oregon dated 04/01/1930,

Edith A. Bell, Grantor, recorded 07/24/09 in Deed Book 11 at page 563, excepting therefrom that portion thereof as described in that Grant of Easement to the State of Oregon dated 04/01/1930,

State of Oregon, Grantor, recorded 04/24/11 in Deed Book 19 at page 526,

State of Oregon, Grantor, recorded 04/24/11 in Deed Book 19 at page 526,

Mary Lock et vir, Grantor, recorded 11/04/10 in Deed Book 18 at page 398,

Geo. Watt et ux, Grantor, recorded 10/04/09 in Deed Book 12 at page 344, excepting therefrom that portion thereof as described in that Bargain and Sale Deed to the County of Tillamook dated 07/09/1926,

John Watt et ux, Grantor, recorded 10/04/09 in Deed Book 12 at page 345, excepting therefrom that portion thereof as described in that Bargain and Sale Deed to the County of Tillamook dated 07/09/1926,

Nilus McMillan et ux, Grantor, recorded 06/10/09 in Deed Book 11 at page 328,

Wright Blodgett Co. Ltd., Grantor, recorded 05/23/10 in Deed Book 15 at page 493,

F.J. Gattrell, Grantor, recorded 12/24/09 in Deed Book 13 at page 311,

Matt Mcroney, Grantor, recorded 07/14/09 in Deed Book 11 at page 513,

E.D. Woodbury et ux, Grantor, recorded 02/06/12 in Deed Book 23 at page 399,

N.A. Steinhilber et vir, Grantor, recorded 10/25/09 in Deed Book 12 at page 468,

F.D. Woodbury et ux, Grantor, recorded 06/25/10 in Deed Book 16 at page 481,

L.L. Mead & M. Hart, Grantor,

Beals Land Co., Grantor, recorded 07/22/10 in Deed Book 18 at page 41,

F.R. Beals (Trustee), Grantor, recorded 07/22/10 in Deed Book 18 at page 40,

Rockaway Beach Co., Grantor, recorded 10/04/09 in Deed Book 12 at page 342,

Paul Schrader et ux, Grantor, recorded 06/17/09 in Deed Book 11 at page 354,

Ernest F. Tucker et ux, Grantor, recorded 10/01/09 in Deed Book 12 at page 331,

Tillamook Beach Realty Co, Grantor, recorded 07/31/09 in Deed Book 11 at page 599,

Edith M. Alderman, Grantor, recorded 08/04/09 in Deed Book 11 at page 614,

Twin Rocks Land Co., Grantor, recorded 02/17/10 in Deed Book 13 at page 450,

Harriet Rowntree, Grantor, recorded 08/05/09 in Deed Book 11 at page 618,
Mary D. Sampson, Grantor, recorded 08/05/09 in Deed Book 11 at page 619,
Geo. H. Sampson, Grantor, recorded 08/05/09 in Deed Book 11 at page 620,
Rufus L. Sampson et ux, Grantor, recorded 08/05/09 in Deed Book 11 at page 617,
Erwin Carter, Grantor, recorded 06/29/09 in Deed Book 11 at page 417,
The Tillamook Bay Co., Grantor, recorded 02/14/10 in Deed Book 13 at page 421,
Geo. Wati. et ux, Grantor, recorded 10/04/09 in Deed Book 12 at page 343, excepting therefrom that portion thereof as described in deed recorded 01/06/1970 in O.R. 218 at page 84,
Lloyd C. Smith, Grantor, recorded 06/30/10 in Deed Book 16 at page 515,
Lloyd Smith, Grantor, recorded 09/21/06 in Deed Book 5 at page 136,
Lloyd Smith, Grantor, recorded 06/30/10 in Deed Book 15 at page 515,
Elizabeth L. Terwilliger, Grantor, recorded in Deed Book 4 at page 138,
Irene Colbreath et ux, Grantor, recorded 04/29/10 in Deed Book 16 at page 191,
O.J.P. Nolan, Grantor, recorded 02/26/07 in Deed Book 6 at page 168,
W.W. Rideholgh, Grantor, recorded 04/08/07 in Deed Book 6 at page 288,
Dan Nicklas, Grantor, recorded 06/24/09 in Deed Book 11 at page 385,
Marion T. Chance et ux, Grantor, recorded 11/21/06 in Deed Book 5 at page 449,
Claude Thayer et ux, Grantor, recorded 06/17/09 in Deed Book 11 at page 355,
O.J.P. Nolan, Grantor, recorded 02/26/07 in Deed Book 6 at page 186,
O.J.P. Nolan, Grantor, recorded 02/26/07 in Deed Book 6 at page 185,
Cloie Hills, Grantor, recorded 12/06/06 in Deed Book 5 at page 487,
Theodore Parks, Grantor, recorded 12/01/06 in Deed Book 5 at page 482,
Robert Painter, Grantor, recorded 03/12/13 in Deed Book 25 at page 160,
Elmore Packing Co., Grantor, recorded 12/02/12Ra in Deed Book 25 at page 210,

Bangtha Byrom et vir, Grantor, recorded 11/13/06 in Deed Book 5 at page 312,

Nillus McMillan et ux, Grantor, recorded 04/23/09 in Deed Book 11 at page 83,

Iola Handley, Grantor, recorded 11/10/09 in Deed Book 13 at page 34,

L.S. Johnson et ux, Grantor, recorded 01/10/07 in Deed Book 6 at page 38,

Frank Marey, Grantor, recorded 12/01/06 in Deed Book 5 at page 477,

Florence Hardman, Grantor, recorded 11/21/06 in Deed Book 5 at page 451,

Olivia Allen et vir, Grantor, recorded 12/01/06 in Deed Book 5 at page 475,

Z. Large, Grantor, recorded 01/04/07 in Deed Book 5 at page 534,

T.B. Handley et ux, Grantor, recorded 06/08/11 in Deed Book 21 at page 99,

Thomas Coates et ux, Grantor, recorded 12/03/06 in Deed Book 5 at page 436, excepting therefrom that portion thereof as described in deed dated 12/07/1923 to Standard Oil Company,

G.A. Brinn et ux, Grantor, recorded 04/22/07 in Deed Book 6 at page 328,

Z. Large, Grantor, recorded 01/04/07 in Deed Book 5 at page 536, excepting therefrom that portion thereof described as follows: Beginning at the Southeasterly Corner of that parcel of land as described in deed recorded 09/14/1922 in Book 46 at page 141, said point also being on the Northerly line of that parcel of land as described in deed recorded 01/04/1907 in Book 5 at page 536; thence Easterly along said northerly line 40.0 feet; thence Southerly at right angles to said northerly line 50.0 feet to a line that is parallel with and 15.00 feet northerly (measured at right angles) of the centerline of main tracks of said Railroad; thence Westerly along said parallel line 115.0 feet; thence Northerly at right angles to said parallel line 50.0 feet to the aforesaid Northerly line; thence Westerly along aforesaid northerly line 75.0 feet to the Point of Beginning,

P. Byrom et ux, Grantor, recorded 11/13/06 in Deed Book 5 at page 310,

Marie Murphy, Grantor, recorded 06/04/09 in Deed Book 11 at page 283,

John Johnson, Grantor, recorded 06/17/09 in Deed Book 11 at page 353,

John D. Edwards et ux, Grantor, recorded 11/30/06 in Deed Book 5 at page 453,

Fred Paquet, Grantor, recorded 11/20/06 in Deed Book 5 at page 316,

James Surman, Grantor, recorded 01/15/07 in Deed Book 6 at page 40,
J.S. McDonald, Grantor, recorded 12/01/06 in Deed Book 5 at page 473,
Theodore Parks, Grantor, recorded 06/10/09 in Deed Book 11 at page 329,
Amanda D. Hauxhurst, Grantor, recorded 06/10/09 in Deed Book 11 at page 330,
Peter Byram et ux, Grantor, recorded 11/13/06 in Deed Book 5 at page 310,
Frank P. Hobson et ux, Grantor, recorded 12/31/09 in Deed Book 13 at page 331,
Miami Lumber Co., Grantor, recorded 02/12/14 in Deed Book 27 at page 440,
Frank P. Hobson et ux, Grantor, recorded 08/21/07 in Deed Book 7 at page 39,
Bay City Land Co., Grantor, recorded 12/06/16 in Deed Book 33 at page 628, except therefrom that portion thereof as described in deed to the State of Oregon dated 05/23/1963,
John Nelson, Grantor, recorded 12/16/21 in Deed Book 44 at page 133-4,
Emma L. Williams, Grantor, recorded 07/14/09 in Deed Book 11 at page 508,
Bay City Land Co., Grantor, recorded 12/06/16 in Deed Book 33 at page 629,
John Larson, Grantor, recorded 09/19/11 in Deed Book 5 at page 133,
Samuel Elmore et ux, Grantor, recorded 08/30/09 in Deed Book 12 at page 124,
L.M. Alley et ux, Grantor, recorded 02/17/09 in Deed Book 9 at page 537,
Claude Thayer et ux, Grantor, recorded 07/22/10 in Deed Book 18 at page 39,
Clara Pearson et ux, Grantor, recorded 10/04/07 in Deed Book 7 at page 165,
Samuel Johnson, Grantor, recorded 03/22/09 in Deed Book 9 at page 610,
Frank Hobson et ux, Grantor, recorded 08/21/07 in Deed Book 7 at page 39,
Chas. N. Illingsworth et, Grantor, recorded 10/11/07 in Deed Book 7 at page 164,
State of Oregon, Grantor, recorded 03/04/35 in Deed Book 70 at page 74-5,

State of Oregon, Grantor, recorded 03/04/35 in Deed Book 70 at page 76-77,
Chas. A. Elliott et ux, Grantor, recorded 04/30/07 in Deed Book 6 at page 372,
D.M. Dunne et al, Grantor, recorded 11/08/09 in Deed Book 3 at page 31,
Almeda J. McNair et vir., Grantor, recorded 07/15/07 in Deed Book 6 at page 605,
Wm. Riefenberg, Grantor,
C.W. Pike et al, Grantor, recorded 09/09/07 in Deed Book 7 at page 81,
Benoit Provoost et ux, Grantor, recorded 08/08/07 in Deed Book 7 at page 21,
John R. Harter, Grantor, recorded 08/29/07 in Deed Book 7 at page 56,
W.S. Cone et ux, Grantor, recorded 02/06/08 in Deed Book 7 at page 339,
Peter Nelson, Grantor, recorded 07/15/07 in Deed Book 6 at page 606,
Gust Nelson et al, Grantor, recorded 08/21/07 in Deed Book 7 at page 40,
Alex Finlayson et ux, Grantor, recorded 09/12/07 in Deed Book 7 at page 108,
Katie A. Riefenberg et ux, Grantor, recorded 09/12/07 in Deed Book 7 at page 107,
Lewis H. Riefenberg et ux, Grantor, recorded 09/12/07 in Deed Book 7 at page 109,
Geo. H. Williams et ux, Grantor, recorded 07/15/07 in Deed Book 6 at page 607,
Chas. R. Ostrander et ux, Grantor, recorded 10/01/08 in Deed Book 9 at page 205,
Thore Haugen et ux, Grantor, recorded 10/01/08 in Deed Book 9 at page 204,
Whitney Co. (Ltd.), Grantor, recorded 09/09/07 in Deed Book 7 at page 84,
Kilchis River Co., Grantor, recorded 05/21/15 in Deed Book 31 at page 228,
Sarah McMillan et vir., Grantor, recorded 10/11/07 in Deed Book 7 at page 163,
Eben P. Parker, Grantor, recorded 05/07/09 in Deed Book 11 at page 150,
Harriet Vaughn et al, Grantor,

J. H. Mathaway et ux, Grantor, recorded 10/01/08 in Deed Book 9 at page 201,
 Andrew Zuercher et ux, Grantor, recorded 01/09/09 in Deed Book 9 at page 469,
 N.G. Boquist et ux, Grantor, recorded 02/02/07 in Deed Book 6 at page 111,
 Joseph Kodad et ux, Grantor, recorded 10/01/08 in Deed Book 9 at page 203,
 John R. Harter et ux, Grantor, recorded 04/22/14 in Deed Book 29 at page 115,
 Bay City Land Co., Grantor, recorded 12/11/16 in Deed Book 35 at page 9,
 W.S. Cone et ux, Grantor, recorded 02/06/08 in Deed Book 7 at page 338,
 D.E. Goodspeed et ux, Grantor, recorded 10/01/08 in Deed Book 9 at page 200,
 Vincent Cook et ux, Grantor, recorded 02/01/10 in Deed Book 15 at page 83,
 Permellia Latimer, Grantor, recorded 05/21/07 in Deed Book 6 at page 429,
 Peter Wilson et ux, Grantor, recorded 10/01/08 in Deed Book 9 at page 202,
 Peter Heisel et ux, Grantor, recorded 11/30/07 in Deed Book 7 at page 228,
 John Erickson et ux, Grantor, recorded 11/30/07 in Deed Book 7 at page 229,
 Nels Hanson et ux, Grantor, recorded 10/01/08 in Deed Book 9 at page 199,
 H.F. Goodspeed et ux, Grantor, recorded 04/25/10 in Deed Book 16 at page 158,
 I.F. Goodspeed et ux, Grantor, recorded 02/07/07 in Deed Book 6 at page 22,
 F. Goodspeed et ux, Grantor, recorded 05/24/09 in Deed Book 10 at page 269, excepting therefrom those portions thereof as described in those deeds to (1) Sheldon Oil Company recorded in Book 321 page 83
 Michael Schmitz et ux., recorded in Book 321 page 539,
 Willamina Lumber Company recorded in Book 319 page 931
 Publishers Paper Company dated 10/14/1964 and 06/12/1968,
 James E. Nelson et al., recorded in Book 296 page 245,
 Brennan Distributing Company recorded in Book 296 page 252 and,
 Van West Oil Company, Inc. recorded in Book 296 page 311,
 Goodspeed et ux, Grantor, recorded 06/25/10 in Deed Book 16 at 487,

F.M. Davidson et ux, Grantor, recorded 07/14/09 in Deed Book 11 at page 509,

J.S. Lamar et ux, Grantor, recorded 05/31/10 in Deed Book 16 at page 317,

Selma A. Holden et vir., Grantor, recorded 05/31/10 in Deed Book 16 at page 315,

D.T. edmunds et ux, Grantor, recorded 05/31/10 in Deed Book 16 at page 318,

L.H. Brown et ux, Grantor, recorded 06/10/10 in Deed Book 16 at page 384,

L.H. Brown et ux, Grantor, recorded 06/10/10 in Deed Book 16 at page 384,

Annette Mason et vir., Grantor, recorded 05/31/10 in Deed Book 16 at page 320,

William Squires, Grantor, recorded 06/20/10 in Deed Book 16 at page 455,

The M.E. Church Assn., Grantor, recorded 05/31/10 in Deed Book 16 at page 309,

Tillamook Lumber Mfg. Co, Grantor, recorded 07/11/10 in Deed Book 16 at page 568,

Nillus McMillan et ux, Grantor, recorded 10/11/16 in Deed Book 33 at page 477-8,

Those parcels of of land situate in the County of Tillamook , State of Oregon as described in the those deeds recorded in the records of said County, between Southern Pacific Company(now Southern Pacific Transportation Company) as Grantee and;

Douty Lumber Co., Grantor, recorded 10/22/23 in Deed Book 50 at page 216-8,

C.H. Wheeler Jr. et al, Grantor, recorded 05/11/25 in Deed Book 53 at page 175-7,

State of Oregon, Grantor, recorded 04/01/57 in Deed Book 157 at page 110,

Cora E. Wheeler, Grantor, recorded 06/23/25 in Deed Book 53 at page 256-7,

C.R. Hoevet, Grantor, recorded 12/24/42 in Deed Book 84 at page 199-200,

County of Tillamook, Grantor, recorded 03/24/45 in Deed Book 90 at page 305-6,

C.R. Hoevet (Recr. W. Lbr. C), Grantor, recorded 12/24/42 in Deed Book 84 at page 200-201,

Wheeler Lumber Co., Grantor, recorded 04/20/21 in Deed Book 43 at page 158-9,

Westwood Lumber Co., Grantor, recorded 04/10/26 in Deed Book 54 at page 421,

Wright-Blodgett Co. et ux, Grantor, recorded 12/28/22 in Deed Book 46 at page 394-6,

Norman N. Rupp. et al, Grantor, recorded 10/30/29 in Deed Book 61 at page 530,

Solo Schiffmann et ux, Grantor,

George Loerpabel et ux, Grantor, recorded 10/19/21 in Deed Book 43 at page 631-2,

Wheeler Lumber Co., Grantor, recorded 10/21/16 in Deed Book 33 at page 505-7,

Wheeler Lumber Co., Grantor, recorded 02/26/17 in Deed Book 35 at page 269-70,

The Nehalem Company et al, Grantor, recorded 08/07/22 in Deed Book 46 at page 42-6,

J.W. Morrow, Grantor, recorded 05/12/19 in Deed Book 38 at page 572-3,

Brighton Mills Co., Grantor,

Julia L. Jouslin, Grantor, recorded 07/17/20 in Deed Book 41 at page 489-91,

Brighton Mills Co., Grantor, recorded 10/28/27 in Deed Book 58 at page 292-4,

Loring K. Adams (Trustee), Grantor, recorded 09/23/29 in Deed Book 61 at page 404-6,

Rockaway Beach Co., Grantor, recorded 06/15/17 in Deed Book 36 at page 21-2,

F.R. Beals et ux, Grantor, recorded 06/15/17 in Deed Book 36 at page 20,

Edward Erickson, Grantor, recorded 12/24/17 in Deed Book 36 at page 557-8,

State Highway Comm., Grantor, recorded 03/19/63 in Deed Book 185 at page 167,

Paul Erickson, Grantor,

EXHIBIT B

Grantor reserves unto itself, its successors and assigns:

- (1) all minerals and mineral rights, interest, and royalties, including without limiting the generality thereof, oil, gas and other hydrocarbon substances, as well as metallic or other solid minerals, in under said Real Property save and except that the Grantee shall acquire the right to extract rock to use as ballast on the Improvements; however, Seller or its successors and assigns shall not have the right for any purpose whatsoever to enter upon, into or through the surface of said Real Property in connection therewith; and

(2) NON EXCLUSIVE COMMUNICATIONS EASEMENT

Grantor, its successors and assigns, shall have an easement providing for the right, subject to all applicable governmental laws, rules and regulations and subject to rights in existence, to construct, reconstruct, maintain and use fiber optic communication facilities and appurtenances, in, under, across and through the Tillamook Branch (as described above.)

Grantor will notify Port of Tillamook Bay ("Port") in writing not less than thirty (30) days prior to the intended start of construction. Such notification shall include details of the proposed work, including engineering plans for the review and approval by Port, which approval shall not be unreasonably withheld.

The installation of the fiber optic's facilities shall be carried out so as to minimally interfere with the rail operations on the right-of-way. The specific location of the easement will be established, upon installation, as being ten feet in width, five feet each side of and parallel to the center of the conduit on line. The easement location of surface facilities will be in the location in which they are installed or constructed.

Upon written notification from Port that the facilities or any portion thereof require relocation due to one or more of the following reasons, Grantor will relocate the facilities to other approved locations within the property at its expense.

- (a) The facilities or portions of them interfere with the rail operations.
- (b) Said facilities or a portion of them constitute a danger to the public which is not remedial by maintenance or alteration of the facility.

If Grantor is directed to relocate all or portions of the fiber optic facilities pursuant to paragraph 4 above and does not relocate said facilities within a reasonable time as determined by Port, Port may remove or relocate the facilities at Grantor's expense.

Port retains the rights to install or to grant authority for others to install utilities, railroad facilities, transportation improvements and facilities and other public and/or private facilities within or crossing the area covered by the easement granted herein.

Grantor agrees to indemnify and hold harmless Port, its successors or assigns and its officers, agents and employees against any expenses or liability for personal injury, death, or damage arising from the construction, maintenance, or use of the easement, arising from Grantor's use of any portion of the easement herein granted or from Port's actions to remove or relocate Grantor's facilities under paragraph 5 hereof.

298660

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.



Witness my hand and seal affixed:
JOSEPHINE VELTZ, County Clerk

Mary Jane [Signature] . Deputy
DEED 200 a/t
5.00 P/L
1.00 A/t 75.0