

J. E. Blazier, to me known to be the President of the Cape Horn Railroad Company, the corporation that executed the within and foregoing instrument, and E. J. Blazier, to me known to be the Secretary of the said corporation, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned; and on oath severally stated that they were authorized to execute said instrument, and that the seal affixed thereto is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

My notarial commission expires on the 4th day of November, 1910.

(Notarial Seal)

A. L. Veazie  
Notary Public for Oregon,  
Residing at Portland therein.

Filed for record by R. E. Moody on June 10, 1910, at 3:00 P.M.

A. Fleischhauer,  
County Auditor.

OREGON-WASHINGTON TIMBER CO. vs WASHINGTON NORTHERN RAILROAD COMPANY.

WHEREAS the Oregon-Washington Timber Company is the owner by assignment from the Cape Horn Railroad Company and J. E. Blazier of those certain leases of rights of way and operating privileges described as follows, to-wit:

1. That certain indenture of lease executed on the 11th day of March, 1908, by Walter Duggan and Thomas A. Scott to E. J. Blazier and by the said E. J. Blazier assigned on the 14th day of November, 1908, to the said Cape Horn Railroad Company; said original lease being of record in Book 2 of Leases at page 18 of the records of Skamania County, State of Washington, and said assignment being of record on page 19 of Book 2 of Leases of said County.

2. That certain indenture of lease executed on the 9th day of June, 1909, by J. A. Fletcher and Mary Fletcher, his wife, to the Cape Horn Railroad Company, recorded on the 11th day of June, 1909, in Book 2 of Leases at page 71 of the records of said Skamania County, State of Washington.

3. That certain indenture of lease executed on the 16th day of April, 1908, by Hiram W. Sibley and Margaret D. Sibley, his wife to J. E. Blazier, recorded in Book 2 of Leases at page 31 of the records of Skamania County, State of Washington, and assigned by the said J. E. Blazier to the Cape Horn Railroad Company on the 14th day of November, 1908, said assignment being recorded on page 33 of Book 2 of Leases of said County.

4. That certain lease executed on the 24th day of March, 1909, by Jennie M. Bigelow, of the County of Clarke, State of Washington, to J. E. Blazier, wherein and

whereby the said Jennie M. Bigelow does lease, demise and let unto the said J. E. Blazier, a right of way for a railroad over and across the South half (S $\frac{1}{2}$ ) of the North half (N $\frac{1}{2}$ ) of Section nineteen (19), Township two (2) North, Range six (6) East of the Willamette Meridian, in Skamania County, State of Washington, which said indenture of lease was recorded on the 11th day of June, 1909, in Book 2 of Agreements and Leases, at page 74 of the records of said Skamania County, State of Washington; and

WHEREAS the said Oregon-Washington Timber Company is also the owner of the timber lands referred to in said original leases and has entered into an operating agreement with the said Washington Northern Railroad Company in connection with said timber lands and said Washington Northern Railroad Company desires to and is about to take charge of the logging railroad line now constructed on said rights of way and to maintain and operate the same:

NOW THEREFORE THIS WITNESSETH: That in consideration of the premises and of the sum of Five (\$5.00) Dollars to it paid, the receipt whereof is hereby acknowledged, the said Oregon-Washington Timber Company does hereby sublet to the said Washington Northern Railroad Company, its successors and assigns, for the full unexpired term thereof less one day at the end of each of said respective leases, all the leasehold rights, privileges, immunities and interests now held, owned or controlled by the said Oregon-Washington Timber Company by virtue of the said leases and the assignment and transfer thereof to the said Oregon-Washington Timber Company; with the full right and authority to enter into possession of the said rights of way and to hold, use and enjoy the same in every way which the said Oregon-Washington Timber Company might or could do if itself in possession thereof.

TO HAVE AND TO HOLD the same to the said sublessee for the full term herein demised, being for the full unexpired term of said original leases less the last day thereof.

The said sublessee to pay the rentals falling due hereafter under said respective leases and each of them as the same may become payable in accordance with the terms of said original leases; and to quit and surrender up the said leasehold interests in the property upon the expiration of the said sublease or any sooner determination thereof; and

WHEREAS the said Oregon-Washington Timber Company desires to be relieved from its position as a lessee by assignment of said original leases:

It is understood and agreed for the considerations mutually passing between the parties hereto that if the said Washington Northern Railroad Company negotiates and obtains from the owners of the ground new leases to itself of said rightsof way, or any of them, it may in exchange therefor surrender to the said respective owners the leasehold estates of the said Oregon-Washington Timber Company now existing by Virtue of the assignment to it of the leases aforesaid, and the same shall thereby become merged in the new leases to the Washington Northern Railroad Company which it may obtain and shall thereby be extinguished; and the said Washington Northern Railroad Company binds itself by the acceptance hereof to endeavor to obtain such new leases.



IN WITNESS WHEREOF said Oregon- Washington Timber Company, by virtue of a resolution of its Board of Directors duly authorizing the same, has caused these presents to be executed on its behalf by its President and attested by its Secretary under its corporate seal, at Portland, Oregon, this 9th day of June, 1910.

OREGON-WASHINGTON TIMBER COMPANY

Executed in our presence as witnesses:

By J. E. Blazier  
President

A. L. Veazie

Attest:

E. J. Blazier  
Secretary.

E. K. Thompson

(Corporate Seal)

STATE OF OREGON )  
( SS  
COUNTY OF MULTNOMAH )

On this 9th day of June, 1910, before me personally appeared J. E. Blazier, to me known to be the President of the Oregon-Washington Timber Company, the corporation that executed the within and foregoing instrument, and E. J. Blazier, to me known to be the secretary of said corporation, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

/ notarial commission expires November 4, 1910.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

(Notarial Seal)

A. L. Veazie  
Notary Public for Oregon,  
Residing at Portland therein.

Filed for record by R. E. Moody on June 10, 1910, at 5:05 P.M.

A. Fleischhauer,  
County Auditor.

CAPE HORN RAILROAD COMPANY TO WASHINGTON NORTHERN R.R.CO.

NOW ALL MEN, that the Cape Horn Railroad Company, a corporation, in consideration of Five (\$5.00) Dollars to it paid, the receipt whereof is hereby acknowledged, and other valuable considerations, does hereby sell, assign, transfer and set over unto the Washington Northern Railroad Company, a corporation under the laws of the State of Oregon, its successors and assigns, all those certain leases of rights of way and operating privileges by the said Cape Horn Railroad Company now held, together with all rights, privileges, immunities and interests of the said Cape Horn Railroad Company existing under or by virtue of the same, which said leases are described as