

chains; thence West Twenty-six and Fifty hundredths chains; thence North Six chains; thence West Two and Fifty hundredths chains; thence South Thirteen and Fifty hundredths chains to the North line of the Luther T. Woodward Donation Land Claim No. 45, Notification 2340 in said Township and Range; thence East Twenty-nine chains to the place of beginning, containing 23.25 acres, more or less; EXCEPTING THEREFROM the following described portion thereof conveyed to R. M. Goodrich by deed recorded at page 364, Book 114, Deed Records of Linn County, Oregon, to wit: Beginning at the Southwest corner of the Donation Land Claim of James M. Marks, Notification No. 2293, Claim No. 44 in Township Twelve South, Range Two West, Willamette Meridian, Oregon, and running thence West along the South line of the Donation Land Claim of Morgan Kees in said Township and Range, Fourteen and Forty-four hundredths chains to an iron pipe; thence North Seven and Fifty hundredths chains; thence East Fourteen and Forty-four hundredths chains to the West line of said Marks Donation Land Claim; thence South Seven and Fifty hundredths chains to the place of beginning, containing 10.83 acres, more or less, in Linn County, State of Oregon, RESERVING, HOWEVER, unto the Company and its assigns the full, free and unrestricted right at all times to use the slough or waterway situate upon said 10.83 acre tract and running through the same in a Southeasterly course from a point South of the Northwest corner thereof to a point North of the Southeast corner thereof as a wasteway or tailrace for surplus water from the water ditch or canal of Mountain States Power Company (now merged with Pacific Power & Light Company), commonly known as the "Albany and Lebanon Canal", and the right to flood and overflow so much of said Ten and Eighty-three hundredths acre tract as may be necessary in and about the use of said slough or waterway as aforesaid and the right to have both the natural and artificial waterways through said Ten and Eighty-three hundredths acre tract and the conditions respecting the same unchanged by any act of the said R. M. Goodrich, his heirs or assigns.

ALSO EXCEPTING that portion lying within Wheeler Street and within the City limits of Lebanon, quitclaimed to the City of Lebanon.

ALSO EXCEPTING parcel sold to Lindust Fuel Co. on December 31, 1953, described as follows: Beginning at a point that is 29.0 chains West and 13.5 chains North of the Southwest corner of the Donation Land Claim of James M. Marks, Claim No. 44 in Township 12 South, Range 2 West of the Willamette Meridian, said beginning point being the Northwest corner of that certain 23.25 acre