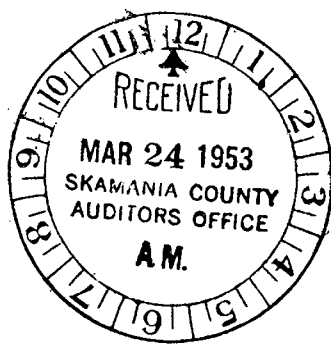


45221



BOOK 53 PAGE 273

THIS AGREEMENT, made and entered into at Portland, Oregon, on this the 8th day of April, 1948, by and between Wm. J. Wineberg and Janet R. Wineberg, husband and wife, of Vancouver, Washington, parties of the first part, hereinafter called the "Winebergs", and Stephen B. Kahn and Ruth L. Kahn, husband and wife, of Portland, Oregon, hereinafter called the "Kahns",

WITNESSETH:- That WHEREAS the parties hereto are now joint owners of Various pieces and parcels of real property, all of which is timber land, situated in the States of Oregon, Washington and California, which lands have been acquired through tax sales; and,

WHEREAS, it is the intent and purpose of the Kahns to change and remove their domicile from the State of Oregon, to the State of California, and consequently desire to concentrate their real property holdings to the State of California, and it is the desire and purpose of both parties hereto to dissolve the said joint ownerships of real property so heretofore and now held by the parties hereto, and to separate and divide such jointly owned properties of the parties hereto, and with that end and purpose in view, they have agreed upon a fair and equitable adjustment and division of said jointly owned properties;

NOW, THEREFORE, the parties hereto, in consideration of the mutual covenants and agreements of the parties hereto, one unto the other, hereby mutually agree to and with each other as follows, towit:-

1st. The Kahns hereby agree to exchange, transfer and convey to the Winebergs, by good and sufficient Assignments of Contracts and/or Special Warranty Deeds, all their right, title and interest in and to all such jointly owned real properties in Klickitat, Cowlitz and Skamania Counties in the State of Washington, and in Linn and Yamhill Counties in the State of Oregon.

2nd. The Winebergs hereby agree to exchange, transfer and convey to the Kahns, by good and sufficient Assignments of Contracts, and/or Special Warranty Deeds, all their right, title and interest in and to all such jointly owned real properties in Lincoln County, Oregon, and Humbolt County, California.

3rd. It is hereby understood and agreed that each party hereto shall take and receive the properties herein mentioned subject to all the incumbrances, liens and taxes now existing against same.

4th. It is the understanding and agreement of the parties hereto that the Kahns are transferring to the Winebergs all of their said jointly owned holdings in Yamhill and Linn Counties, Oregon, and in Cowlitz, Skamania and Klickitat Counties, Washington, and in the event that by inadvertance, error, mistake, or for any other reason, any piece or parcel of the said jointly owned real property now owned by the Kahns and Winebergs, has been omitted in the settlement hereunder, then and in that event, upon discovery of such error or omission, the Kahns, upon a thirty day written notice from the Winebergs, hereby agree to correct such error by making, executing and delivering to the Winebergs by Special Warranty Deed all their right, title and interest in such piece, pieces or parcels of real property; and in the event the Kahns fail, refuse or neglect to so execute and deliver such Deed with such period of thirty days, then and in such event this agreement shall be considered as such a deed, and the Kahns for the consideration hereinabove set forth do remise, release and forever quitclaim unto said Winebergs any and all such real properties now jointly owned by the Kahns and the Winebergs insaid Linn and Yamhill Counties, Oregon, and in Klickitat, Cowlitz and Skamania Counties, Washington.

5th. The Kahns hereby agree to transfer and deliver to the Winebergs all cruises of timber, all plats, maps, photographs, data and figures they have concerning and applying to the various pieces and parcels of real property to be conveyed

to said Winebergs.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals in duplicate, on the day and year herein first above written.

Wm. Wineberg (SEAL)

Ruth L. Kahn (SEAL)

Stephen Kahn (SEAL)

\_\_\_\_ (SEAL)

STATE OF OREGON, )  
County of Multnomah. ) S.S.

THIS IS TO CERTIFY that on this the 8th day of April, 1948, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Wm. J. Wineberg and Janet R. Wineberg, husband and wife, and Stephen B. Kahn and Ruth L. Kahn, husband and wife, to me well known to be the identical individuals described in and who executed the foregoing instrument, and acknowledged to me that they executed the same freely and voluntarily.

WITNESS my hand and Notarial Seal the day and year in this my certificate, first above written.

H. J. [Signature]

NOTARY PUBLIC FOR OREGON.  
My Commission Expires Jan. 25, 1952.

NO. 744  
SKAMANIA COUNTY  
TRANSACTION EXCISE TAX  
PAID MAR 24 1953  
AMOUNT Exempt  
COUNTY TREASURER  
BY Mabel [Signature]