

OR 32799

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The United States of America

To all to whom these presents shall come, Greeting:

Vol. 1185 Page 12781

0101-1316

Diamond #3
Deschutes #156

WHEREAS, Diamond Group Inc., being the owner of certain tracts of land situated and included within the limits of the Deschutes National Forest, Oregon, has, under the provisions of the Act approved March 20, 1922 (42 Stat. 465), as amended (16 U.S.C. 485) and Sec. 206 of the Act approved October 21, 1976 (90 Stat. 2743, 2756; 43 U.S.C. 1716), reconveyed and relinquished the said tracts to the United States and has, under the provisions of said Act, selected in lieu thereof the following described tracts of land:

Willamette Meridian, Oregon.

T. 13 S., R. 10 E.

- sec. 6, Lots 3 to 7, inclusive, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$;
- sec. 7, Lots 1 to 4, inclusive, $N\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}W\frac{1}{2}$, and $SE\frac{1}{4}$;
- sec. 30, Lots 1 to 4, inclusive;
- sec. 34, $SW\frac{1}{4}NE\frac{1}{4}$, $W\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{4}$, and $SE\frac{1}{4}SE\frac{1}{4}$.

T. 15 S., R. 9 E.

- sec. 10;
- sec. 13, $S\frac{1}{2}SW\frac{1}{4}$;
- sec. 16.

T. 16 S., R. 10 E.

- sec. 3, Lots 3 and 4, and $SE\frac{1}{4}$;
- sec. 4, Lots 1 and 2;
- sec. 5, Lots 1 to 4, inclusive;
- sec. 6, Lots 1 to 4, inclusive;
- sec. 15, $NW\frac{1}{4}NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, and $S\frac{1}{2}NW\frac{1}{4}$.

T. 22 S., R. 9 E.

- sec. 2, $S\frac{1}{2}NW\frac{1}{4}$;
- sec. 3, $S\frac{1}{2}NE\frac{1}{4}$;
- sec. 10, $SW\frac{1}{4}SW\frac{1}{4}$;
- sec. 15, $W\frac{1}{2}NW\frac{1}{4}$;
- sec. 21, $E\frac{1}{2}NE\frac{1}{4}$;
- sec. 22, $SW\frac{1}{4}SW\frac{1}{4}$;
- sec. 23, $NE\frac{1}{4}$, $NE\frac{1}{4}NW\frac{1}{4}$, $S\frac{1}{2}NW\frac{1}{4}$, and $S\frac{1}{2}$;
- sec. 35, $SW\frac{1}{4}NE\frac{1}{4}$.

T. 24 S., R. 8 E.

- sec. 3, Lots 1, 2, and 4, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}SW\frac{1}{4}$.

The areas described aggregate 4,783.07 acres, according to the official plats of the surveys of the said lands on file in the Bureau of Land Management.

Patent Number

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JEFFERSON COUNTY,
OREGON
ELAINE HENDERSON
COUNTY CLERK
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NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the said claimant, the lands above described; TO HAVE AND TO HOLD the said lands with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant, its successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States pursuant to the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. 945).
2. This grant is made subject to the interests, rights, and privileges of both the United States and Diamond Group Inc., as set forth in that certain easement dated October 5, 1982, and recorded in Book 69, page 863, Jefferson County, and Book 365, page 538, Deschutes County, Oregon, records, which interests, rights, and privileges together with the right to construct, reconstruct, and maintain the road(s) are herein reserved, except the United States does not reserve in this patent the title to any timber within the easement, but only the right to cut and deck for use of the landowner such timber as may be necessary to accommodate the construction and maintenance of the roads on the reserved rights-of-way.

Road Descriptions

- a. That portion of Road No. 11 lying within Lot 2 of sec. 30, T. 13 S., R. 10 E., W.M.
- b. That portion of Road No. 1126 lying within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ of sec. 34, T. 13 S., R. 10 E., W.M.
- c. That portion of Road No. 4606 lying within the SE $\frac{1}{4}$ sec. 3, NW $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 15, T. 16 S., R. 10 E., W.M.
3. In accordance with provisions of the Act of February 28, 1925 (43 Stat. 1090; 16 U.S.C. 486), to itself and its assigns, exclusive rights-of-way for the following identified existing roads as they are presently located and in place, being 66 feet in width, 33 feet on each side of the centerline thereof, with as much additional width as required for adequate protection of cuts and fills:
 - a. Road No. 1130 over and across lot 4 of sec. 6, T. 13 S., R. 10 E., W.M. BEGINNING at a point approximately 350 feet south of the northwest corner of sec. 6, being approximately 0.1 mile in length and ending at a point approximately 200 feet east of the northwest corner of said sec. 6.

- b. Road No. 2055 over and across the $S\frac{1}{2}SE\frac{1}{4}$ of sec. 34, T. 13 S., R. 10 E., W.M. BEGINNING at a point approximately 1,320 feet north and 1,200 feet west of the southeast corner of sec. 34, being approximately 0.27 mile in length and ending at a point approximately 1,700 feet west of the southeast corner of said sec. 34.
- c. Road No. 16 over and across Lots 3 and 4 of sec. 6, T. 16 S., R. 10 E., W.M. BEGINNING at a point approximately 1,300 feet east of the northwest corner of sec. 6, being approximately 0.1 mile in length and ending at a point approximately 320 feet south and 950 feet east of the northwest corner of said sec. 6.
- d. Road No. 4320 380 over and across the $S\frac{1}{2}NW\frac{1}{4}$ of sec. 2, T. 22 S., R. 9 E., W.M. BEGINNING at a point approximately 1,400 feet south of the north 1/4 corner of sec. 2, being approximately 0.2 mile in length and ending at a point approximately 1,320 feet south and 1,200 feet west of the north 1/4 corner of said sec. 2; ALSO BEGINNING at a point approximately 1,320 feet south and 800 feet east of the northwest corner of sec. 2, being approximately 0.05 mile in length and ending at the junction with Road 4320 386 in the $SW\frac{1}{4}NW\frac{1}{4}$ of said sec. 2.
- e. Road No. 4320 386 over and across the $SW\frac{1}{4}NW\frac{1}{4}$ of sec. 2 and the $SE\frac{1}{4}NE\frac{1}{4}$ of sec. 3, T. 22 S., R. 9 E., W.M. BEGINNING at a junction with Road No. 4320 380 in the $SW\frac{1}{4}NW\frac{1}{4}$ of sec. 2, being approximately 0.2 mile in length and ending at a point approximately 100 feet west and 1,320 feet south of the northeast corner of said sec. 3.
- f. Road No. 4400 310 over and across the $SW\frac{1}{4}SW\frac{1}{4}$ of sec. 10 and the $NW\frac{1}{4}NW\frac{1}{4}$ of sec. 15, T. 22 S., R. 9 E., W.M. BEGINNING at a point approximately 400 feet north of the southwest corner of sec. 10, being approximately 0.1 mile in length and ending at a point approximately 100 feet south of the northwest corner of said sec. 15.
- g. Road No. 4400 312 over and across the $NW\frac{1}{4}NW\frac{1}{4}$ of sec. 15, T. 22 S., R. 9 E., W.M. BEGINNING at a point approximately 300 feet south of the northwest corner of sec. 15, being approximately 0.1 mile in length and ending at a point approximately 900 feet south of the northwest corner of said sec. 15.

0101-1319

- h. Road No. 6210 over and across Lots 1 and 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of sec. 3, T. 24 S., R. 8 E., W.M. BEGINNING at a point approximately 800 feet south of the northeast corner of sec. 3, being approximately 0.55 mile in length and ending at a point approximately 1,240 feet south of the north 1/4 corner of sec. 3; ALSO BEGINNING at a point approximately 2,600 feet south and 1,320 feet east of the northwest corner of sec. 3, being approximately 0.25 mile in length and ending at a point approximately 300 feet south of the west 1/4 corner of said sec. 3.
- i. Road No. 6210 400 over and across the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of sec. 3, T. 24 S., R. 8 E., W.M. BEGINNING at the junction with Road No. 6210 in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of sec. 3, being approximately 0.25 mile in length and ending at a point approximately 800 feet north of the west 1/4 corner of said sec. 3.
- j. Road No. 6214 over and across Lot 2, sec. 3, T. 24 S., R. 8 E., W.M. BEGINNING at the junction with Road No. 6210 in Lot 2, sec. 3, being approximately 0.25 mile in length and ending at a point approximately 300 feet east of the north 1/4 corner of said sec. 3.
- k. Road No. 6214 100 over and across Lots 1 and 2 of sec. 3, T. 24 S., R. 8 E., W.M. BEGINNING at the junction with Road No. 6214 in Lot 2, sec. 3, being approximately 0.3 mile in length and ending at a point approximately 300 feet west of the northeast corner of said sec. 3.

This reservation is made subject to the following terms, provisions, and conditions.

- a. Diamond Group Inc., and its assigns shall have the right to use the roads for all useful purposes, subject to traffic control regulations as provided in 36 CFR 212.7(a)(1) and (2) and the bearing of road maintenance costs proportionate to use as provided in 36 CFR 212.7(d).

PROVIDED, that if the Regional Forester determines that the road, or any segment thereof, is no longer needed for the purposes reserved, the easement shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to the patentee, or its successors or assigns.

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4. The right to itself and assigns to cut and remove from the following locations, any and all timber from said locations under the terms of existing timber sale contracts and/or other timber sale contracts necessary to effect removal of such timber until termination of said contracts, including extensions thereof:

a. Whiskey Spring Timber Sale, Contract No. 062202 sold to Diamond International Corporation, February 9, 1982, and scheduled to terminate March 31, 1986. The sale is located in secs. 6 and 7, T. 13 S., R. 10 E., W.M.

The United States shall, at Diamond Group Inc.'s request, release its reserved timber rights prior to the termination of the timber sale contract as the harvest of the reserved timber and post harvest slash disposal, and erosion control measures are completed. The release shall be a quitclaim deed in recordable form to Diamond Group Inc., or its successors in interest.

Ret. Diamond International
1627 N.E. 5th St.
Bend, Ore 97701



Patent Number **36-85-0040**

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IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Portland, Oregon
the SIXTH day of JUNE in the year
of our Lord one thousand nine hundred and EIGHTY-FIVE
and of the Independence of the United States the two hundred
and NINTH

By Harold A. Berends
Chief, Branch of Lands
and Minerals Operations

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Diamond International Inc.
of August A.D., 19 85 at 1:27 o'clock P M., and duly recorded in Vol. M85 day
of Deeds on Page 12781
By Evelyn Biehn County Clerk
Pat Smith

FEE \$21.00