

Form 1860-9
(November 1984)
ORE 015697
53434

The United States of America

To all to whom these presents shall come, Greeting:

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WHEREAS, Klamath County, Oregon, is entitled to a Land Patent pursuant to the Act of June 14, 1926, 44 Stat. 741, as amended and supplemented, 43 U.S.C. 869, 869-1 through 869-4, inclusive, for the following described land:

Willamette Meridian, Oregon
T. 40 S., R. 8 E.,
Sec. 17, NE $\frac{1}{4}$ SE $\frac{1}{4}$

The area described contains 40.00 acres, according to the official plat of the survey of the said land on file in the Bureau of Land Management:

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the said claimant, the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant forever;

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

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945;
2. All mineral deposits in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe; and

SUBJECT TO:

1. The stipulation that if the patentee or its successor in interest does not comply with the provisions of the approved plan of development and management filed on May 22, 1974, with the Bureau of Land Management, or by any revision thereof approved by the Secretary or his delegate, the Secretary or his delegate after due notice, and opportunity for a hearing, may declare the terms of this grant terminated in whole or in part. The patentee, by acceptance of this patent, agrees for itself and its successors in interest that such declaration shall be conclusive as to the facts found by the Secretary or his delegate and shall, at the option of the Secretary or his delegate, operate to revest in the United States full title to the land involved in the declaration.

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Provided, that, if the patentee or its successor attempts to transfer title to or control over the land to another or the land is devoted to a use other than that for which the land was conveyed, without the consent of the Secretary of the Interior or his delegate, or prohibits or restricts, directly or indirectly, or permits its agents, employees, contractors, or subcontractors (including without limitation, lessees, sublessees and permittees) to prohibit or restrict, directly or indirectly, the use of any part of the patented land or any of the facilities thereon by any person because of such person's race, creed, color, or national origin, title shall revert to the United States.

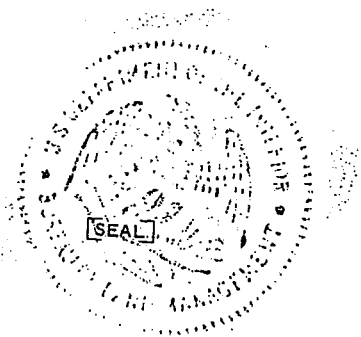
2. The patentee or its successors in interest shall be subject to and comply with all pertinent and applicable Federal and State laws relating to solid and hazardous wastes, and all regulations or guidelines promulgated pursuant thereto; including, but not limited to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 et seq., and the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. 9601 et seq.

The patentee, by acceptance of this patent, agrees for itself and its successors in interest that in the event of the issuance of a declaration of termination and the reversion of this grant in whole or in part pursuant to the stipulation above, and where hazardous wastes or substances may have been generated, stored, treated, disposed, or transported upon the above described land, the patentee or its successors in interest will continue to be subject to the liabilities imposed by Federal or State laws, including the Comprehensive Environmental Response, Compensation and Liability Act.

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The grant of the herein described lands is subject to the following reservations, conditions, and limitations:

- (1) The patentee or his (its) successor in interest shall comply with and shall not violate any of the terms or provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241), and requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the lands conveyed herein are used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits.
- (2) If the patentee or his (its) successor in interest does not comply with the terms or provisions of Title VI of the Civil Rights Act of 1964, and the requirements imposed by the Department of the Interior issued pursuant to that title, during the period during which the property described herein is used for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provision of similar services or benefits, the Secretary of the Interior or his delegate may declare the terms of this grant terminated in whole or in part.
- (3) The patentee, by acceptance of this patent, agrees for himself (itself) or his (its) successors in interest that a declaration of termination in whole or in part of this grant shall, at the option of the Secretary or his delegate, operate to revert in the United States full title to the lands involved in the declaration.
- (4) The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964, and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee.
- (5) The patentee or his (its) successor in interest will, upon request of the Secretary of the Interior or his delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area or facility conveyed.
- (6) The reservations, conditions, and limitations contained in paragraphs (1) through (5) shall constitute a covenant running with the land, binding on the patentee and his (its) successors in interest for the period for which the land described herein is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits.
- (7) The assurances and covenant required by sections (1)-(6) above shall not apply to ultimate beneficiaries under the program for which this grant is made. "Ultimate beneficiaries" are identified in 43 CFR 17.12(h).



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 FIFTH day of SEPTEMBER 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 TENTH.

Patent Number **36-85-0058**

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By *Lyle D. Morrison*

Acting Chief, Branch of Lands and Minerals Operations

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of September A.D., 19 85 at 2:52 o'clock P M., and duly recorded in Vol. M85
of Deeds on Page 15093

FEE NONE

Evelyn Biehn
By _____
County Clerk

Fam Smith