

WARRANTY DEED

56962

Vol. 186 Page 292

The Grantor, WEYERHAEUSER COMPANY, a Washington corporation, of Tacoma, Washington, in consideration of making a capital contribution to its wholly owned subsidiary, does hereby convey and warrant unto WEYERHAEUSER REAL ESTATE COMPANY, a Washington corporation, of Tacoma, Washington, the real property situated in the County of Klamath, State of Oregon, described on the attached EXHIBIT A.

Subject to any easement or right of way in the public, for any public roads heretofore established or existing on said lands and to all matters of public record.

This instrument does not guarantee that any particular use may be made of the property described in this instrument. The buyer should check with the appropriate city or county planning department to verify approved uses.

The Grantor hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its successors and assigns, forever, all geothermal steam and heat and all ores and minerals of any nature whatsoever, not previously reserved, in or upon said land including, but not limited to, coal, lignite, oil and gas, peat, including coal seam gas, together with the right to enter upon said lands for the purpose of exploring the same for such geothermal resources, ores and minerals, and drilling, opening, developing and working mines and wells thereon and taking out and removing therefrom, including by surface mining methods, all such geothermal resources, ores, and minerals, and to occupy and make use of so much of the surface of said land as may be reasonably necessary for said purposes; provided, that the Grantee and Grantee's heirs, representatives, successors and assigns, shall be paid just and reasonable compensation for any injury or damage to the surface of said land, to the crops or to the improvements thereon caused by the exercise of any rights herein reserved, provided, further, that the exercise of such rights by the Grantor shall not be postponed or delayed so long as Grantor is making reasonable efforts to agree upon or have determined such just and reasonable compensation.

DATED this 17th day of December, 1985.

WEYERHAEUSER COMPANY

By:

George H. Weyerhaeuser  
President

Attest:

Robert H. Hergensen  
Assistant Secretary



86 JAN 3 PM 2 23


OK  
5500

STATE OF WASHINGTON }  
COUNTY OF KING } ss.

293

On this 17th day of December, 1985, before me personally  
appeared George H. Weyerhaeuser and  
Robert N. Mogensen, to me known  
to be the President and  
Assistant Secretary, respectively, of  
WEYERHAEUSER COMPANY, the corporation that executed the within and  
foregoing instrument, and acknowledged 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.

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

  
C. W. Pryor  
Notary Public in and for the State of  
Washington, residing at Federal Way.

In Klamath County, Oregon:

Township 34 South, Range 8 East of W. M.

Section 25: The Southwest quarter (SW $\frac{1}{4}$ ).

Subject to:

(1) the exceptions and reservations in that certain Deed, dated December 21, 1956, recorded in Vol. 289 of Deeds, page 211 under File No. 16554 conveying allotted Indian Lands, as follows:

(a) the reservation of all subsurface rights, except water, in trust, to the heirs of Graham Weeks, deceased, Klamath allottee No. 642, and

(b) the reservation of a Fire Road constructed by the United States of America, and

(c) any existing easements for public roads, and highways, for public utilities and for railroads and pipelines and for any other easements or rights of way of record.

(2) the rights of Robert Moisio et al to use a road along the East line of the W $\frac{1}{2}$  of SW $\frac{1}{4}$  by reason of Road Use Agreement, dated September 24, 1979 recorded in Vol. M-80, pages 6681-6689.

(3) the rights of Telephone Utilities of Eastern Oregon, Inc. by reason of an Easement for a Buried Cable, dated December 5, 1984, recorded in Vol. M-85, page 3641, for a buried cable in the existing road across the W $\frac{1}{2}$  of SW $\frac{1}{4}$ .

Section 26: The Southeast quarter (SE $\frac{1}{4}$ ).

Subject to:

(1) the rights of Robert Moisio, et al, to use a road across the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  and S $\frac{1}{2}$  of SE $\frac{1}{4}$  by reason of a Road Use Agreement, dated September 24, 1979 recorded in Vol. M-80, pages 6681-6689.

(2) the right of Ellie H. Blevins, et ux, by reason of a Powerline Easement, dated July 22, 1980, recorded in Vol. M-80, pages 15270-15273 for a power line on a portion of the South 10 feet of the S $\frac{1}{2}$  of SE $\frac{1}{4}$ .

In Klamath County, Oregon (Cont.):

Township 34 South, Range 8 East of W. M. (Cont.)

295

(3) the rights of Telephone Utilities of Eastern Oregon, Inc. by reason of an Easement for a Buried Cable, dated December 5, 1984, recorded in Vol. M-85, page 364 for a buried cable in the existing road across the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  and S $\frac{1}{2}$  of SE $\frac{1}{4}$ .

Section 34: The East half of Northeast quarter (E $\frac{1}{2}$  of NE $\frac{1}{4}$ ).

Subject to:

(1) the exceptions and reservations in that certain Deed, dated April 19, 1957, recorded in Vol. 292 of Deeds, page 82 under File No. 19667, conveying allotted Indian Lands, as follows:

(a) the reservation of all subsurface rights, except water, in trust to the heirs of Newak Weeks, deceased Klamath allottee No. 1299,

(b) the reservation of Sprague River Road No. P-1 constructed by the United States of America,

(c) any existing easements for public roads and highways, for public utilities and for railroads and pipelines and for any other easements or rights of way of record.

(2) the rights of Pacific Power & Light Company (successor by merger to California Oregon Power Company) by reason of an Easement, dated December 10, 1959 for a 100 foot right of way across the SE $\frac{1}{4}$  of NE $\frac{1}{4}$ .

(3) the rights of Robert Moisio, et al, to use a road across the E $\frac{1}{2}$  of NE $\frac{1}{4}$  by reason of a Road Use Agreement, dated September 24, 1979, recorded in Vol. M-80, pages 6681-6689.

(4) the rights of Telephone Utilities of Eastern Oregon, Inc. by reason of an Easement for a Buried Cable, dated December 5, 1984, recorded in Vol. M-80, page 3641, for a buried cable in the existing road across the E $\frac{1}{2}$  of NE $\frac{1}{4}$  North of Highway.

In Klamath County, Oregon (Cont.):

296

Township 34 South, Range 9 East of W.M.

Section 30: The Fractional South half of Northwest quarter (Fr.  $SW\frac{1}{2}$  of  $NE\frac{1}{4}$ ).

Subject to:

- (1) the reservation of all subsurface rights, except water, to the heirs of Chief Lalo as set forth in U.S. Patent No. 1155348, dated November 2, 1955, recorded in Vol. 280 of Deeds, page 173.

Township 36 South, Range 10 East of W.M.

Section 24: West half of Southeast Quarter ( $W\frac{1}{2}$  of  $SE\frac{1}{4}$ ).

Subject to:

- (1) the exceptions and reservations set forth in that Certain Deed to Restricted Indian Land, dated September 25, 1957, recorded in Book 259, Page 476, Records of Klamath County as follows:

- (a) any existing easements for public roads and highways, for public utilities, and for railroads and pipelines and for any other easements or rights-of-way of record, and

- (b) the reservation of all subsurface rights, except water, in trust, to the Grantor.

Township 35 South, Range 11 East of W. M.:

Section 15: Southwest Quarter of Southwest Quarter ( $SW\frac{1}{4}$  of  $SW\frac{1}{4}$ ).

Section 16: Southeast Quarter of Southeast Quarter ( $SE\frac{1}{4}$  of  $SE\frac{1}{4}$ ).

Subject to:

- (1) the reservation of all oil, gas and mineral rights to the heirs of Hiram Villard, their heirs and assigns as set forth in Patent No. 1157589, dated February 29, 1956 recorded in Volume 283 of Deeds, Page 135 in Records of Klamath County, Oregon.

In Klamath County, Oregon (Cont.):

297

Township 35 South, Range 11 East of W. M. (Cont.):

(2) to an Easement, dated December 28, 1959, recorded in Miscellaneous Volume 13, page 594 in Records of Klamath County, to the United States of America for Road S-55 across the SW $\frac{1}{4}$  of said Section 15. Said road is now controlled by the U.S. Forest Service.

Township 36 South, Range 11 East of W. M.:

Section 19: Government lots 2, 3, 6 and 7.

Subject to:

(1) the exceptions and reservations set forth in that Certain Deed to Restricted Indian Land, dated April 25, 1957, recorded in Book 292, Page 354 Records of Klamath County as follows:

(a) any existing easements for public roads and highways, for public utilities, and for railroads and pipelines and for any other easements or rights-of-way of record, and

(b) the reservation of all subsurface rights, except water, in trust, to the Grantor.

(2) an Easement, dated December 25, 1959, recorded in Miscellaneous Volume 13, Page 594, Records of Klamath County, Oregon, to the United States of America for road K.I.R. S-53 across lots 3 and 6. Said road is now controlled by the U.S. Forest Service.

Ret. *L. N. Mogensen*  
*Land Title Trust Mgr*  
*Weyerhaeuser Real Estate Co*  
*Box C*  
*Tacoma, Wash 98477*

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the \_\_\_\_\_ day  
 of January A.D. 19 86 at 2:23 o'clock P.M., and duly recorded in Vol M86  
 of Danda on Page 292

FEE \$25.00

Evelyn Biehn  
 By \_\_\_\_\_

County Clerk

2/5324/3/1  
 12/16/85

EXHIBIT A  
 Page 4 of 4