

74451

Aspen Title #M-30939
WARRANTY DEED

Y86-0747

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The Grantor, WEYERHAEUSER COMPANY, a corporation of the State of Washington, formerly known as Weyerhaeuser Timber Company, donates, grants, and conveys to the American Forest Foundation, a corporation of the District of Columbia, the following described real property located in the County of Klamath, State of Oregon to wit:

Township 40 South, Range 7 East, Willamette Meridian
Section 36, NE1/4.

Township 40 South, Range 8 East, Willamette Meridian
Section 31, SW1/4, and W1/2SE1/4.

TOGETHER WITH the Grantor's right, title, and interest in and to all water rights appurtenant to said property.

RESERVING UNTO THE GRANTOR, its successors and assigns, forever, all geothermal steam and heat and all metals, ores and minerals of any nature whatsoever in or upon said land including, but not limited to coal, lignite, peat, oil and gas, including coal seam gas, together with the right to take out and remove therefrom all such geothermal resources, ores and minerals. Provided that Grantor, its successors and assigns, will not occupy or use the surface of said land and will not do any development, excavation or mining within a vertical depth of 500 feet. Grantor, its successors and assigns, shall however, have the right to enter upon such land to conduct geophysical and geological surveys and other exploration. Such surveys and exploration shall not include any drilling or other excavation, cutting of trees or other substantial surface disturbances. Exploration by explosive methods shall be limited to the period from April 15 to September 15; provided, however, that if eagles are nesting in the area no testing by explosive methods shall be conducted prior to August 16. Exploration by other techniques is permitted without time limitation, provided it is done in compliance with the Act for the "Protection of Bald and Golden Eagles" (16 USC 668-668d), and the regulations derived therefrom (Title 50 CFR). Grantor, its successors and assigns, will provide the local United States Fish and Wildlife Service office reasonable advance notice, either written or oral, prior to entry on such lands by or on behalf of Grantor, its successors or assigns. 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 Grantor, its successors and assigns, shall not be postponed or delayed so long as Grantor is making reasonable effort to agree upon or have determined such just and reasonable compensation.

EXCEPTING THEREFROM the interest in oils, gases, coal, ores, minerals and fossils as disclosed by instruments recorded December 30, 1927, in Book 79 at Page 282 and February 18, 1929, in Book 85 at Page 338 of Klamath County Records.

NOV 11 PM 3 21

The land is conveyed subject to existing easements for public roads, highways, railroads, pipelines, and public utilities.

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TO HAVE AND TO HOLD the above described premises, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, unto the American Forest Foundation, its successors and assigns, forever.

The Grantor does hereby covenant with the American Forest Foundation, its successors and assigns that Grantor will forever warrant and defend the title to the above described lands against all lawful claims whatsoever and that the same are free and clear of all liens and encumbrances, except as herein stated.

The true consideration for this conveyance is a gift.

Dated this 11th day of December 1986.

WEYERHAEUSER COMPANY

By:

Charles W. Bingham
Executive Vice President

Attest:

Robert M. Rogers
Assistant Secretary

After Recording,

Return To:

Aspen Title & Escrow, Inc.
600 Main St.
Klamath Falls, OR 97601

CORPORATION ACKNOWLEDGEMENT

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STATE OF Washington)
COUNTY OF King) SS.

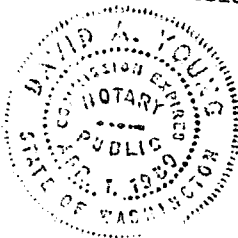
On December 12 1986, before me, a Notary Public in and for said State, personally appeared Charles W. Bingham, and Robert N. Mogensen (Name), personally known to me to be the persons

who executed the within instrument as the Executive Vice-President and Assistant Secretary, respectively, of the Corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

David A. Young
(Signature)

My Commission expires April 1, 1989.



01/0506/1/5-3
12/10/86

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Company the 11th day
of May A.D., 19 87 at 3:21 o'clock P M., and duly recorded in Vol. M87
of Deeds on Page 8037.
By Evelyn Biehn, County Clerk

FEE \$18.00