

72948

K-44909

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WARRANTY DEED

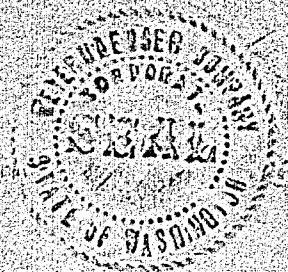
The GRANTOR, **WEYERHAEUSER COMPANY**, a Washington corporation, formerly Weyerhaeuser Timber Company, for valuable consideration, receipt of which is hereby acknowledged, conveys and warrants to **DIVIDE RESOURCES, INC.**, an Oregon corporation, GRANTEE, the real estate, situated in Klamath County, Oregon, described on the attached Exhibit A.

The true and actual consideration for this transfer, stated in dollars, is One Hundred Five Thousand DOLLARS (\$105,000.00).

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring title to the property should check with the appropriate city or county planning department to verify approved uses.

The property described in this instrument may not be within a fire protection district protecting structures. The property is subject to land use laws and regulations which, in farm or forest zones, may not authorize the construction or siting of a residence. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and existence of fire protection for structures.

DATED this 13th day of December, 1993.

**WEYERHAEUSER COMPANY**

John A. Williams
Vice President

Pamela M. Osmon
Assistant Secretary

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Klamath County OR
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RETURN TO & TAXES TO:
Divide Resources, Inc.
62582 Bowerman Road
Joseph, OR 97846

33604

STATE OF WASHINGTON)
) ss.
 COUNTY OF KING)

Personally appeared before me, the undersigned authority in and for said county and state, on this 13th day of December, 1993, within my jurisdiction, the within named John Wilkinson and Pamela M. Redmon, who acknowledged that they are Vice President and Assistant Secretary, of WEYERHAEUSER COMPANY, a Washington corporation, and that for and on behalf of the said corporation, and as its act and deed they executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

G.W. BJERKE
 STATE OF WASHINGTON
 NOTARY--PUBLIC
 My Commission Expires 3-20-96

G.W. Bjerk
 Notary Public
 My appointment expires: March 20, 1996

After recording return to:
 Divide Resources, Inc.
 62582 Bowerman Road
 Joseph OR 97846

Send tax statements to:
 Divide Resources, Inc.
 62582 Bowerman Road
 Joseph OR 97846

IN KLAMATH COUNTY, OREGON:

33605

TOWNSHIP 38 SOUTH, RANGE 5 EAST, W.M.

Section 24: S₁S₁

RESERVATIONS:

(1) To the extent not heretofore conveyed, excepted or reserved, 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 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 enter upon said land for the purpose of exploring the same for such geothermal resources, metals, 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, metals, 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 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 shall not be postponed or delayed pending reasonable efforts to agree upon or have determined such just and reasonable compensation.

(2) Grantor reserves the right to reconstruct, use and maintain for all road purposes the existing Keno Access Road for ingress to and egress from lands now owned or hereafter acquired by Grantor, over and across the following described lands:

Section 24-T38S-R5E, W.M.

Said road is located approximately as shown on the attached Exhibit B.

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Klamath County, OR

9.12/12/93

EXHIBIT A, page 1 of 2

SUBJECT TO:

(1) Rights reserved in federal patents or state deeds, including, but not limited to water rights, and mineral or fossil rights reservations.

(2) Ancestral rights, if any, of descendants of aboriginal inhabitants to occupy, use and possess any portion of the premises, as reserved by treaties, understandings, practice, statutes, or judicial decisions; for food gathering, shelter, religious ceremonies, social and economic gatherings, battlefields and burial sites.

(3) To any easement or right of way for any public roads or utilities heretofore existing on said lands.

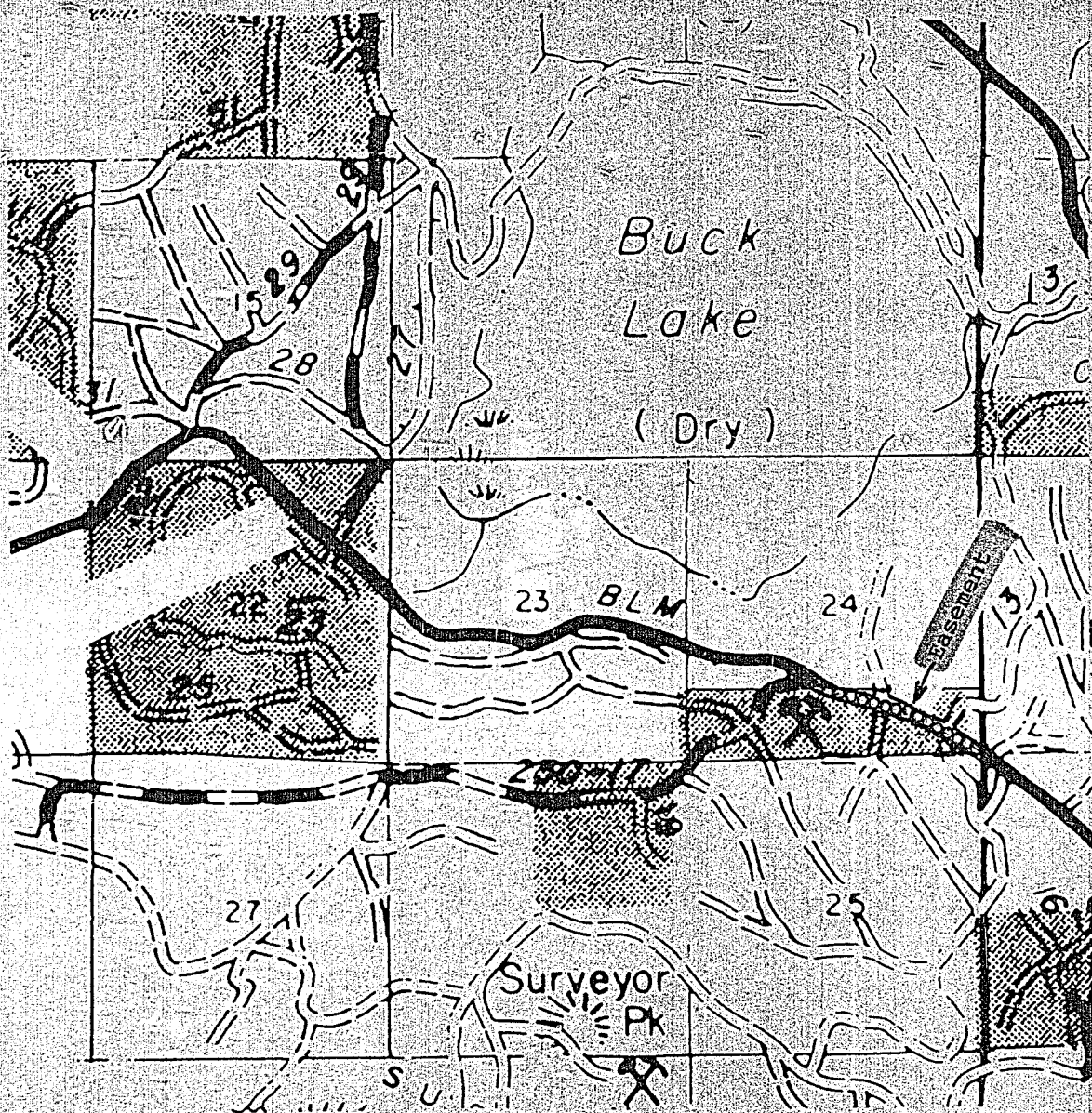
(4) Taxes not yet due and payable.

(5) Document: Access Road Easement
Date: August 11, 1959
Grantee: United States of America
Recording #: Vol.315, Page 446
Purpose: Access road

(6) Document: M-690 Road Construction and Use Agreement, as supplemented and amended
Date: June 19, 1963
Grantee: United States of America
Recording #: Vol.346, Page 367
Purpose: Road construction and use

(7) Document: Plat Supplement No. M-690-29
Date: June 12, 1971
Grantee: United States of America
Purpose: Road construction and use

(8) Document: Plat Supplement No. M-690-30
Date: June 12, 1971
Grantee: United States of America
Purpose: Road construction and use



Reserved road easement: ~~XXXX~~

Section 24-T38S-R5E, W.M.
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EXHIBIT B, Page 1 of 1

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title co the 17th day
of Dec. A.D., 19 93 at 9:02 o'clock A M., and duly recorded in Vol. M93
of Deeds on Page 33603

FEE \$45.00

Evelyn Biehn County Clerk
By Carol Mullendore