

74096

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01-06-94A11:28 RCVD

After recording return to:  
John F. and Mabel H. Richmond  
P.O. Box 91  
Bly OR 97622

Send tax statements to:  
John F. and Mabel H. Richmond  
P.O. Box 91  
Bly OR 97622

K-45922

STATUTORY WARRANTY DEED

THE GRANTOR, WEYERHAEUSER COMPANY, a Washington corporation, for valuable consideration, conveys and warrants to JOHN F. RICHMOND and MABEL H. RICHMOND, husband and wife, the GRANTEES, the real property in the County of Klamath, State of Oregon described on the attached EXHIBIT A.

The true and actual consideration for this transfer, stated in dollars, is TEN THOUSAND DOLLARS (\$10,000.00).

EXCEPT as expressly set forth in this deed, Grantor has not and does not hereby make any representation or warranty to Grantees concerning the property or its compliance with any statute, ordinance or regulation. Grantees having full opportunity to investigate the property: its physical condition, title status, zoning and status as a conveyable tract is relying solely on their own judgment as to such matters as they might affect the property for Grantees' intended use. Grantees are accepting the deed and taking possession as-is, where-is, and shall make no claim, demand, or notice against Grantor on account of the condition of the property. The provisions of this paragraph are bargained for provisions between Grantor and Grantees and a material part of Grantor's consideration. The terms, conditions and promises contained in this paragraph shall survive closing and delivery of the deed and be continuing covenants of Grantees, their heirs and assigns.

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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 the 4th day of January, 1994.

WEYERHAEUSER COMPANY

By: 

Acquisitions and Valuation Manager, Timberlands

Attest: Ricki A. Ahern

Assistant Secretary

STATE OF WASHINGTON  
COUNTY OF KING

)  
)  
)  
ss.

Personally appeared before me, the undersigned authority in and for said county and state, on this 4th day of January, 1994, within my jurisdiction, the within named J. Whittig and Vicki A. Merrick, who acknowledged that they are Acquisitions and Valuation Manager, Timberlands 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

KLAMATH COUNTY, OREGONSECTION 34, TOWNSHIP 36 SOUTH, RANGE 14 EAST, W.M.

PARCEL 2 of Land Partition 43-92, situated in the E $\frac{1}{2}$ W $\frac{1}{2}$  of Section 34, Township 36 South, Range 14 East, W.M., Klamath County, Oregon

**RESERVATION:** 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 Grantees and Grantees' 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.

**SUBJECT TO:**

(1) Rights reserved in federal patents or state deeds, mineral or fossil rights reservations, building or use restrictions general to the area, existing easements not inconsistent with

Grantee's intended use, and building or zoning regulations or provisions shall not be deemed encumbrances or defects.

(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) All matters of public record, to any easement or right of way for any public or private roads or utilities heretofore existing on said lands.

(4) Matters showing on said Land Partition 43-92.

(5) Taxes not yet payable.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title co the 6th day  
of Jan A.D., 19 94 at 11:28 o'clock A M., and duly recorded in Vol. M94  
of Deeds on Page 618.

Evelyn Biehn County Clerk

By

Dorlene Mullins

FEE \$50.00

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