

80179

04-28-94P03:19 RCVD

Vol. 1494 Page 13469

K-42695
WARRANTY DEED

ODOF
File 58888
6B-14-5, 6B-14-6,
6B-14-7, & 6B-14-8

HANSON NATURAL RESOURCES COMPANY, a Delaware partnership consisting of Cavenham Forest Industries, Inc., a Delaware corporation; Gold Fields Mining Corporation, a Delaware corporation; and Cavenham Energy Resources, Inc., a Delaware corporation; Grantor, for the true and actual consideration of \$ 8,062.00 and an exchange of property does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the following described property:

PARCEL 1 - Fee

A parcel of land lying in the SE $\frac{1}{4}$ of Section 13, in the E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 24, in the E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 25 and in the NE $\frac{1}{4}$ of Section 36, Township 30 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Cavenham Forest Industries Inc., recorded in Book M-86, Page 7658 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southerly of a line at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Station 1639+98.48 Back equals 1640+00 Ahead and included in a strip of land 300 feet in width, 150 feet on each side of said center line which center line is described as follows:

Beginning at Engineer's center line Station 1639+98.48 Back equals 1640+00 Ahead, said station being 850.76 feet North and 2300.60 feet East of the South quarter corner of Section 13, Township 30 South, Range 7 East, W.M.; thence South 0° 37' 30" West 4706.3 feet; thence on a spiral curve right (the long chord of which bears South 0° 46' 30" West 300 feet) 300 feet; thence on a 19,098.59 foot radius curve right (the long chord of which bears South 1° 32' 45" West 313.9 feet) 313.9 feet; thence on a spiral curve right (the long chord of which bears South 2° 19' West 300 feet) 300 feet to Engineer's center line Station 1696+20.2 Back equals 1695+42 Ahead; thence South 2° 28' West 8958 feet to Engineer's center line Station 1785+00.

Bearings are based on Oregon State Highway Division Survey. See Drawing No. 6B-14-5, dated February, 1945.

The parcel of land to which this description applies contains 97.4 acres, more or less.

PARCEL 2 - Fee

A parcel of land lying in the SE $\frac{1}{4}$ of Section 36, Township 30 South, Range 7 East, W.M., Klamath County, Oregon; in the W $\frac{1}{2}$ of Section 1, in the W $\frac{1}{2}$ of Section 12, in the NW $\frac{1}{4}$ and in the W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 31 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that

12-2-93

RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM, OREGON 97310

Account No.: _____
Property Address: _____

13470

ODOT
File 58888
6B-14-5, 6B-14-6,
6B-14-7, & 6B-14-8

property described in that deed to Cavenham Forest Industries Inc., recorded in Book M-86, Page 7658 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 300 feet in width, 150 feet on each side of the center line of the relocated The Dalles-California Highway which center line is described as follows:

Beginning at Engineer's center line Station 1775+00, said station being 3179.01 feet North and 698.74 feet West of the Southeast corner of Section 36, Township 30 South, Range 7 East, W.M.; thence South $2^{\circ} 28'$ West 35,500 feet to Engineer's center line Station 2130+00.

Bearings are based on Oregon State Highway Division Survey. See Drawing No. 6B-14-6, dated February, 1945.

The parcel of land to which this description applies contains 104.1 acres, more or less.

PARCEL 3 - Fee

A parcel of land lying in the $E\frac{1}{2}W\frac{1}{2}$ of Section 25 and in the $W\frac{1}{2}$ of Section 36, Township 31 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Cavenham Forest Industries Inc., recorded in Book M-86, Page 7658 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 300 feet in width, 150 feet on each side of the center line of the relocated The Dalles-California Highway which center line is described in Parcel 2.

The parcel of land to which this description applies contains 72.7 acres, more or less.

PARCEL 4 - Fee

A parcel of land lying in the $W\frac{1}{2}$ of Section 1, in the $W\frac{1}{2}$ of Section 12, in the $W\frac{1}{2}$ of Section 13 and in the $NW\frac{1}{4}$ of Section 24, Township 32 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Cavenham Forest Industries Inc., recorded in Book M-86, Page 7658 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 300 feet in width, 150 feet on each side of the center line of the relocated The Dalles-California Highway which center line is described as follows:

Beginning at Engineer's center line Station 2118+00, said station being 5469.96 feet North and 1365.59 feet East of the Southwest corner of Section 1, Township 32 South, Range 7 East, W.M.; thence South $2^{\circ} 28'$ West 33,846 feet; thence on a spiral curve right (the long chord of which bears South $2^{\circ} 40' 30''$ West 250 feet) 250 feet; thence on an 11,459.16 foot radius curve right (the long chord of which bears South $7^{\circ} 20'$ West 1695.1 feet) 1696.7 feet; thence on a spiral curve right (the long chord of which bears South $11^{\circ} 59' 30''$ West 250 feet) 250 feet; thence South $12^{\circ} 12'$ West 1657.3 feet to Engineer's center line Station 2495+00.

Bearings are based on Oregon State Highway Division Survey. See Drawing No. 6B-14-7, dated January, 1945.

The parcel of land to which this description applies contains 127.7 acres, more or less.

13471

ODOT

File 58888

6B-14-5, 6B-14-6,
6B-14-7, & 6B-14-8**PARCEL 5 - Fee**

A parcel of land lying in the $W\frac{1}{2}SW\frac{1}{4}$ of Section 25, in the $E\frac{1}{2}E\frac{1}{2}$ of Section 35, in the $W\frac{1}{2}W\frac{1}{2}$ of Section 36, Township 32 South, Range 7 East, W.M., Klamath County, Oregon and in the $W\frac{1}{2}W\frac{1}{2}$ of Section 1, Township 33 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Cavenham Forest Industries Inc., recorded in Book M-86, Page 7658 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 300 feet in width, 150 feet on each side of the center line of the relocated The Dalles-California Highway which center line is described in Parcel 4.

The parcel of land to which this description applies contains 73.8 acres, more or less.

PARCEL 6 - Fee

A parcel of land lying in the $E\frac{1}{2}$ of Section 11 and in the $E\frac{1}{2}$ of Section 14, Township 33 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Cavenham Forest Industries Inc., recorded in Book M-86, Page 7658 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 300 feet in width, 150 feet on each side of the center line of the relocated The Dalles-California Highway which center line is described as follows:

Beginning at Engineer's center line Station 2489+00, said station being 5078.06 feet South and 451.33 feet West of the Northwest corner of Section 1, Township 33 South, Range 7 East, W.M.; thence South $12^{\circ} 10' 15''$ West 20,100 feet to Engineer's center line Station 2690+00.

Bearings are based on Oregon State Highway Division Survey. See Drawing No. 6B-14-8, dated January, 1945.

The parcel of land to which this description applies contains 68 acres, more or less.

PARCEL 7 - Fee

A parcel of land lying in the $E\frac{1}{2}SW\frac{1}{4}$ of Section 23 and in the $NW\frac{1}{4}$ of Section 26, Township 33 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Cavenham Forest Industries Inc., recorded in Book M-86, Page 7658 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 300 feet in width, 150 feet on each side of the center line of the relocated The Dalles-California Highway which center line is described in Parcel 6.

The parcel of land to which this description applies contains 35.7 acres, more or less.

TOGETHER WITH ALL abutter's rights of access between the above-described parcels and Grantor's remaining real property, EXCEPT, however,

13472

ODOT
File 58888
6B-14-5, 6B-14-6,
6B-14-7, & 6B-14-8

Reserving access rights, for the service of Grantor's remaining property, to and from said remaining property to the abutting highway at the following places, in the following widths, and for the following purpose_:

Hwy. Engr's Sta.	Side of Hwy.	Width	Purpose
1742+83	West	35 ft	Unrestricted
1742+87	East	35 ft	Unrestricted
1797+35	East	35 ft	Unrestricted
1865+47	East	35 ft	Unrestricted
1893+34	East	35 ft	Unrestricted
1922+65	West	35 ft	Unrestricted
2075+65	East	35 ft	Unrestricted
2085+16	West	35 ft	Unrestricted
2118+61	East	35 ft	Unrestricted
2219+80	West	35 ft	Unrestricted
2220+00	East	35 ft	Unrestricted
2266+81	East/West	35 ft	Unrestricted
2433+00	East	35 ft	Unrestricted
2433+85	East	35 ft	Unrestricted
2478+90	West	35 ft	Unrestricted
2482+50	East	35 ft	Unrestricted
2586+35	East	35 ft	Unrestricted
2656+30	West	40 ft	Unrestricted
	East	35 ft	Unrestricted
	West	35 ft	Unrestricted
	East	35 ft	Unrestricted
	West	35 ft	Unrestricted

The access rights reserved herein are subject to the statutes and regulations controlling access to the highway system. A standard Approach Road Permit must be applied for and obtained from the Oregon Department of Transportation's District Maintenance Office before construction is begun. When the State constructs the approach road, Grantor will be required to sign a standard Approach Road Permit to assure proper operation and maintenance of the approach road.

That there is reserved unto Hanson Natural Resources Company, its successors and assigns, all minerals, as defined in ORS 273.775(1), and all geothermal resources, as defined in ORS 273.775(2), together with the right to make such use of the surface as may be reasonably necessary for prospecting for, exploring for, mining, extracting, reinjecting, storing, drilling for, and removing such minerals and geothermal resources, provided, however, that the right reserved to use the surface for any of the above activities shall be subordinate to that actual use of the surface of the premises deeded herein, or any part thereof, being made by the surface rights owner at the time that Grantor conducts any of the above activities. In the event such use of the premises by

13473

ODOT
File 58888
6B-14-5, 6B-14-6,
6B-14-7, & 6B-14-8

the surface rights owner would be damaged by one or more of the activities described above, then such owner shall be entitled to compensation from Grantor to the extent of the diminution in value of the real property, based on the actual use by the surface rights owner at the time the Grantor conducts any of the above activities. Also, when requested by Grantee, Grantor agrees to release this reservation of mineral rights with respect to such portions of the surface where Grantee has made improvements and/or such portions as Grantee reasonably requires for other purposes, provided that such release shall not be unreasonably withheld.

Grantor covenants to and with Grantee, its successors and assigns, that it is the owner of said property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein.

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 FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

Dated this 31 day of March, 1994.

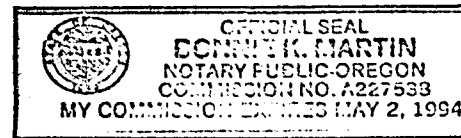
HANSON NATURAL RESOURCES COMPANY, a Delaware partnership consisting of
Cavenham Forest Industries, Inc., a Delaware corporation;
Gold Fields Mining Corporation, a Delaware corporation;
and Cavenham Energy Resources, Inc., a Delaware corporation

By Russell A. Carson
Russell A. Carson, Co-Chief Executive
Officer of the Partnership and
Authorized Signatory

STATE OF Oregon, County of Multnomah
March 31, 1994. Personally appeared the above named Russell A. Carson,
who being sworn, stated that he is the Co-Chief Executive Officer of the Partnership of
HANSON NATURAL RESOURCES COMPANY, a Delaware partnership consisting of Cavenham Forest
Industries, Inc., a Delaware corporation; Gold Fields Mining Corporation, a Delaware
corporation; and Cavenham Energy Resources, Inc., a Delaware corporation, and he
acknowledged that the foregoing instrument was voluntary signed by him on behalf of said
partnership by authority of its Directors. Before me:

Donnie K. Martin
Notary Public for Oregon
My Commission expires 5-2-94

3-16-94
Page 5 - WD
ael/



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co the 28th day
of April A.D., 19 94 at 3:19 o'clock P. M., and duly recorded in Vol. M94
of Deeds on Page 13469.
Evelyn Biehn County Clerk
By Bernette Mueller

FEE \$50.00