

26204

WHEN RECORDED MAIL TO:

STATE OF OREGON
Department of Forestry
2600 State Street
Salem, OR 97310

MAIL TAX STATEMENT TO: Vol. 1996 Page 31479

STATE OF OREGON
Department of Forestry
2600 State Street
Salem, OR 97310

5430 Land Exchange
BLM Serial #OR-50776
MTH #189, WIN #85

EXCHANGE DEED

THIS DEED, made this 28th day of February, 1996, between the UNITED STATES OF AMERICA, Grantor, acting herein by and through the Forest Service, United States Department of Agriculture, and STATE OF OREGON, acting by and through its State Land Board, Grantee.

WITNESSETH: That the Grantor, hereunto authorized by the Act of Congress approved March 1, 1911, (36 Stat. 961, as amended; 16 U.S.C. 516), the provisions of which have been complied with, and also in accordance with the terms of the Exchange Agreement dated November 27, 1995, for and in consideration of the conveyance of State of Oregon lands in the County of Hood River, State of Oregon, TO HOOD RIVER COUNTY, a political subdivision of the State of Oregon, as stated in the deed to Hood River County; and, in addition thereto, pay to State of Oregon, the sum of TEN THOUSAND DOLLARS (\$10,000), the receipt of which is hereby acknowledged, does hereby remise, release, and quitclaim unto the Grantee all its rights, title, and interest in and to the real property situated in County of Klamath, State of Oregon, within the boundaries of the Winema National Forest, described as follows:

T. 33 S., R. 7 1/2 E., W.M.
sec. 13, lots 5, 6, and 7;
sec. 24, N1/2.

Acres
143.66
320.00

Containing 463.66 acres, more or less.

EXCEPTING AND RESERVING TO THE UNITED STATES OF AMERICA, from the land so granted, a non-exclusive perpetual easement, for existing roads as shown approximately on attached Exhibit A, consisting of 1 sheet, and more particularly identified and described herein.

Such easement shall be 20 feet on each side of the centerline, the location of said roads being more particularly described as follows:

A. Forest Development Road No. 6214000 (Segment 1)

Beginning at a point on the North line of lot 5 of sec. 13, T. 33 S., R. 7 1/2 E., W.M., which point is approximately 200 feet east of the south 1/16 corner of the West section line, of said sec. 13; Thence in a southerly direction, approximately 1900 feet, over and across lot 5 of sec. 13, to a point on the south section line of lot 5 of sec. 13, which point is approximately 620 feet east of the section corner common to secs. 13, 14, 23 & 24, T. 33 S., R. 7 1/2 E., W.M.

Checked as to consideration, acreage, description and conditions. Dated
this 26th day of February, 1996

Douglas M. Long, County Clerk

96 OCT -3 P 3:31

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out

B. Forest Development Road No. 6214000 (Segment 2)

Beginning at its intersection with Segment 1 of Forest Development Road No. 6214000 at a point on the south section line of lot 5 of sec. 13, T. 33 S., R. 7 1/2 E., W.M., which point is approximately 620 feet east of the section corner common to secs. 13, 14, 23 & 24, T. 33 S., R. 7 1/2 E., W.M.; Thence in a southwesterly then southeasterly direction, approximately 4750 feet, over and across the W1/2NW1/4 and the SE1/4NW1/4 sec. 24, T. 33 S., R. 7 1/2 E., W.M., to a point on the south line of the SE1/4NW1/4 of said sec. 24, which point is approximately 250 feet west of the center quarter corner of sec. 24, T. 33 S., R. 7 1/2 E., W.M.

C. Forest Development Road No. 6214310

Beginning at a point on the North section line of the NE1/4NE1/4 of sec. 24, T. 33 S., R. 7 1/2 E., W.M.; which point is approximately 900 feet west of the section corner common to secs. 13 & 24, T. 33 S., R. 7 1/2 E., W.M. and secs. 18 & 19, T. 33 S., R. 7 E., W.M.; Thence in a southeasterly direction, over and across the NE1/4NE1/4 of said sec. 24; Thence in a southerly direction along the East section line of the SE1/4NE1/4 of sec. 24, approximately 2900 feet, to a point on the East section line of SE1/4NE1/4 of sec. 24, which point is the center 1/4 corner of said East section line of sec. 24, T. 33 S. R 7 1/2 E., W.M.

D. Forest Development Road No. 6214380

Beginning at its junction with Forest Road No. 6214000 in SE1/4NW1/4 of sec. 24, T. 33 S., R. 7 1/2 E., W.M.; Thence in a southwesterly direction, approximately 1200 feet, over and across S1/2NW1/4 of sec. 24, to a point on the south line of the S1/2NW1/4 of said sec. 24, which point is approximately 400 feet east of the center 1/4 corner of the West section line of sec. 24, T. 33 S., R. 7 1/2 E., W.M.

E. Forest Development Road No. 6214381

Beginning at its junction with Forest Road No. 6214380 in the SW1/4NW1/4 of sec. 24, T. 33 S., R. 7 1/2 E., W.M.; Thence in a southerly direction, over and across the SW1/4NW1/4 of sec. 24, approximately 150 feet, to a point on the south line of the SW1/4NW1/4 of said sec. 23, which point is approximately 1150 feet east of the center 1/4 corner of the West section line of sec. 24, T. 33 S., R. 7 1/2 E., W.M.

F. Forest Development Road No. 6214400 (Segment 1)

Beginning at its junction with Forest Road No. 6214000 in SW1/4NW1/4 of sec. 24, T. 33 S., R. 7 1/2 E., W.M.; Thence in a southwesterly direction, approximately 420 feet, over and across SW1/4NW1/4 of said sec. 24, to a point on the West section line of SW1/4NW1/4 sec. 24, which point is approximately 650 feet north of the center 1/4 corner of the West section line of sec. 24, T. 33 S., R 7 1/2 E., W.M.

G. Forest Development Road No. 6214400 (Segment 2)

Beginning at its junction with Forest Road No. 6214000 in NW1/4NW1/4 of sec. 24, T. 33 S., R. 7 1/2 E., W.M.; **Thence** in a northwesterly direction, approximately 200 feet, **over and across** NW1/4NW1/4 of said sec. 24, to a point on the West section line of NW1/4NW1/4 sec. 24, **which point** is approximately 200 feet north of the north 1/16 corner of the West section line of sec. 24, T. 33 S., R 7 1/2 E., W.M.

IT IS AGREED that the United States of America, reserves for itself, its permittees, contractors, and assignees, the right to use the roads without cost for all purposes deemed necessary or desirable by the Forest Service in connection with the protection and administration of National Forest System Lands or resources accessed by the above described roads, now or hereafter owned or controlled, provided that use for commercial hauling purposes, other than the removal of timber cut in construction or maintenance of the road or other occasional incidental use, shall be made only after arrangements have been made to pay or perform its pro-rata share of road maintenance.

PROVIDED, That if the Regional Forester determines that the roads, or any segment thereof, are no longer needed for the purposes reserved, the easement shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to STATE OF OREGON, or its successors or assigns.

SUBJECT TO treaty rights between the United States of America and the Klamath Indians, more specifically defined as hunting, fishing, trapping, and food-gathering rights (Civil Action No. 77-2628, U.S. Court of Appeals, Ninth Circuit).

TO HAVE AND TO HOLD the above-described real property unto the Grantee or the Grantee's assigns forever, together with all hereditaments and appurtenances thereunto belonging.

This instrument will not allow use of the property described in the 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.

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IN WITNESS WHEREOF, the Grantor, by its duly authorized representative, has executed this deed pursuant to the delegation of authority to the Chief, Forest Service, 7 CFR 2.60, and the delegation of authority by the Chief, Forest Service, 49 F.R. 34283, published August 29, 1984, on the day and year first above written.

UNITED STATES OF AMERICA

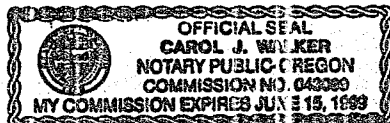
By Judith E. Levin
JUDITH E. LEVIN, Deputy Director
Recreation, Lands, and Mineral Resources
Pacific Northwest Region
USDA, Forest Service

ACKNOWLEDGMENT

STATE OF OREGON)
) ss.
County of Multnomah)

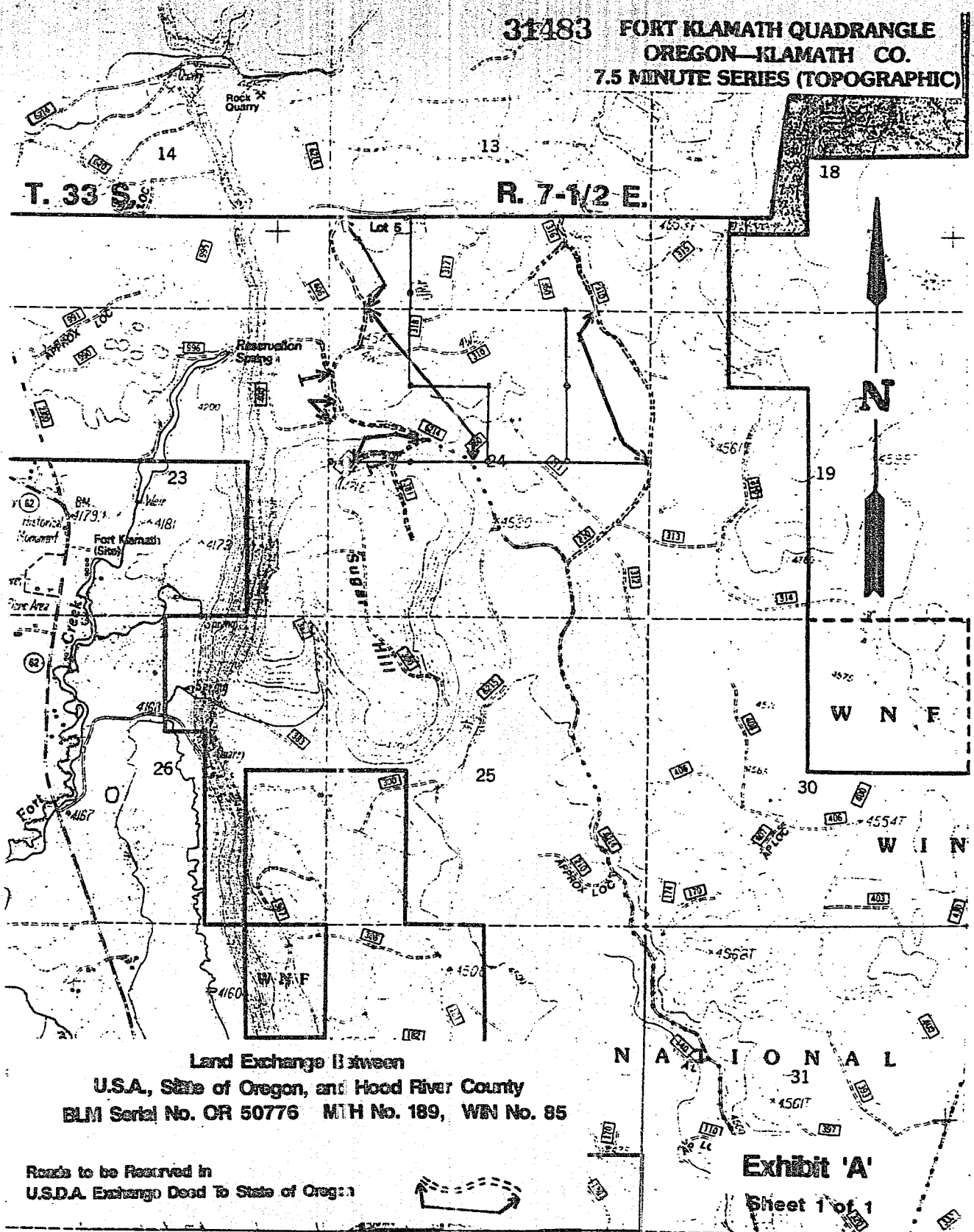
On this 28th day of February, 1996, before me, a Notary Public in and for said State, personally appeared Judith E. Levin, Deputy Director of Recreation, Lands, and Mineral Resources, Pacific Northwest Region, Forest Service, the same person who executed the within and foregoing instrument, who being by me duly sworn according to law, did say that she is the Deputy Director of Recreation, Lands, and Mineral Resources, Pacific Northwest Region, Forest Service, and that said instrument was signed on behalf of the United States of America by its authority duly given and by her delivered as and for its act and deed. And she did further acknowledge that she executed said instrument as the free act and deed of the United States of America, for the purposes and consideration herein mentioned and set forth, and I do hereby so certify.

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



Carol J. Walker
Notary Public for the State of Oregon
Residing at Tualatin
My Commission Expires 6/15/99

31483 FORT KLAMATH QUADRANGLE
OREGON—KLAMATH CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of State of Oregon Dept. of Forestry the 3rd day
of October A.D., 1996 at 3:31 o'clock P. M., and duly recorded in Vol. M96,
of Deeds on Page 31479.

FEE \$30.00

Bernetha G. Letsch

County Clerk

By

Kathleen Ross