

AGREEMENT FOR EASEMENT

THIS AGREEMENT, made and entered into by and between U.S. Timberlands Klamath Falls, L.L.C., a Delaware limited liability company, hereinafter called Grantor, and The Nature Conservancy, a District of Columbia non-profit corporation, hereinafter called Grantee:

W I T N E S S E T H

WHEREAS, Grantor is the record owner of the following described real property in Klamath County, State of Oregon, to-wit:

N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 3, Township 37 South, Range 7 East of the Willamette Meridian

And has the unrestricted right to grant the easement hereinafter described relative to said real property.

GRANT OF EASEMENT

Grantor conveys to Grantee, its successors, and assigns, a perpetual non-exclusive easement across the above mentioned property of the Grantor, said easement being more particularly described as:

A parcel of property situated in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 3, Township 37 South, Range 7 East of the Willamette Meridian more particularly described as 15 feet on each side of the following centerline: Beginning at a 5/8" iron pin on the south line of Section 34, Township 36 South, Range 7 East of the Willamette Meridian, from which the South 1/4 corner of said section bears North 89°10'48" West 1174.65 feet; thence along the centerline of an existing dirt road the following: South 34°16'48" West 60.89 feet; thence 139.02 feet along the arc of a 160.00 foot radius curve to the right, the long chord of which bears South 59°10'15" West 134.68 feet; thence South 84°03'42" West 108.09 feet; thence 128.37 feet along the arc of a 320.00 foot radius curve to the left, the long chord of which bears South 72°34'11" West 127.51 feet; thence South 61°04'39" West 242.98 feet; thence 102.53 feet along the arc of a 380.00 foot radius curve to the right, the long chord of which bears South 68°48'27" West 102.22 feet; thence 69.85 feet along the arc of a 350.00 foot radius curve to the left, the long chord of which bears South 70°49'13" West 69.73 feet; thence South 65°06'12" West 104.61 feet more or less, to the centerline of Eagle Ridge Road as it now exists.

The terms of this easement are as follows:

1. Grantee, its agents, independent contractors and invitees shall use the easement for utility and road purposes only, for access to the property described in paragraph 3 and in conjunction with such use may construct, reconstruct, maintain and repair a road thereon and locate and place utilities thereon.
2. Grantee agrees to indemnify and defend Grantor from any loss, claim or liability to Grantor arising in any manner out of Grantee's use of the easement. Grantee assumes all risks arising out of its use of the easement and Grantor shall have no liability to Grantee or others for any condition existing thereon.
3. This easement is appurtenant and for the benefit of the real property owned by Grantee and described on Exhibit A attached hereto and shall run with the real property owned by Grantee, its successors and assigns.

1. AGREEMENT FOR EASEMENT

4. This easement shall be perpetual and shall not terminate for periods of non-use by Grantee. Said easement may be terminated upon written agreement by Grantor and Grantee, their successors and assigns.

5. This easement is granted subject to all prior easements or encumbrances of record.

IN WITNESS THEREOF, the parties have caused this instrument to be executed this 3rd day of April, 1997.

GRANTOR:
U.S. Timberlands Klamath Falls,
L.L.C.

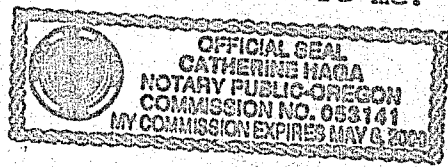
GRANTEE:
The Nature Conservancy

By: John J. Stephens
John J. Stephens
President

By: Ray M. Culter
Ray M. Culter
Vice-President

STATE OF OREGON)
County of Klamath) ss. 3rd April 1997

John Stephens
President Personally appeared ~~John Stephens~~ who, being duly sworn, stated he is ~~General Manager~~ of U.S. Timberlands Klamath Falls, L.L.C. and that said instrument was signed on behalf of said limited liability company; and he acknowledged said instrument to be its voluntary act and deed. Before me:



Catherine Haga
Notary Public for Oregon
My Commission expires: May 6, 2000

STATE OF VIRGINIA)
County of Arlington) ss. 4 March 1997

Personally appeared Ray M. Culter who, being duly sworn, stated he is Vice-President of The Nature Conservancy and that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed. Before me:

Lowell Hoot
Notary Public for Virginia
My Commission expires: May 31, 2000

AFTER RECORDING RETURN TO:

William P. Brandsness
Brandsness, Brandsness & Rudd, P.C.
411 Pine Street
Klamath Falls, OR 97601

10047

EXHIBIT "A" LEGAL DESCRIPTION

The following described real property situate in Klamath County, Oregon.

The W1/2 SE1/4 and Government Lots 3, 4 and 5 of Section 34, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

AND

All those parcels of real estate in Government Lots 3, 4, 5, 8, 9 and 10, in Section 34, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, which lies Westerly of the following described line:

Beginning at the brass-capped monument marking the one-fourth corner common to Sections 27 and 34, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon; thence South 89 degrees 05' 10" East along the line between said Sections 27 and 34, a distance of 2,248.34 feet to a rock mound set by Weyerhaeuser Timber Company to mark the meander corner on said section line; thence South 01 degrees 32' 21" East a distance of 1,305.64 feet to a one-inch iron pipe in a rock mound; thence East a distance of 198.32 feet to a point that is along the shore line of Upper Klamath Lake, said point being Westerly above the high lake water elevation of 4,143.3 feet; thence following said shore line in a Southerly direction on a line that is Westerly above said high water elevation, the following courses and distances:

South 54.98 feet to a spike; South 06 degrees 40' 55" East 257.59 feet; South 09 degrees 47' 00" West 115.26 feet; South 18 degrees 58' 10" West 217.08 feet; South 09 degrees 58' 10" West 213.63 feet; South 03 degrees 31' 30" East 214.81 feet; South 02 degrees 36' 30" East 155.35 feet; South 13 degrees 36' 30" East 168.30 feet; South 03 degrees 40' 55" West 111.59 feet; South 12 degrees 53' 15" West 259.89 feet; South 20 degrees 54' 35" West 85.59 feet; South 16 degrees 51' 15" West 185.03 feet; South 00 degrees 57' 25" East 252.25 feet; South 13 degrees 23' 15" East 90.97 feet; South 06 degrees 26' 15" West 205.71 feet; South 08 degrees 47' 05" West 217.09 feet to an "x" on an 8' by 6' rock; South 13 degrees 11' 20" West 119.64 feet; South 04 degrees 28' 00" West 167.50 feet; South 12 degrees 08' 30" East 182.50 feet; South 05 degrees 37' 30" East 275.94 feet; South 11 degrees 27' 50" East 202.95 feet; and South 08 degrees 55' 00" East 233.95 feet to a one-half inch iron pin that is Easterly a distance of 13.00 feet from a post and rock mound set by Weyerhaeuser Timber Company to mark the meander corner on the South line of said Section 34.

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of William P. Brandness the 4th day
of April A.D. 19 97 at 3:50 o'clock P. M., and duly recorded in Vol. M97
of Deeds on Page 10045

FEE \$20.00

by Bernetha G. Letsch, County Clerk
Bernetha G. Letsch

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PRELIMINARY REPORT

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