

AFTER RECORDING, RETURN TO  
Bonneville Power Administration  
TSR-3  
P.O. BOX 3621  
PORTLAND, OR 97208-3621

ATC # 040 46671

**BPA COPY**

R-KF-87-AR-1  
R-KF-87-AR-2, P. 2  
R-KF-88-AR-1  
R-KF-88-AR-2  
Tract No. R-KF-92-AR-1

U.S. DEPARTMENT OF ENERGY-BONNEVILLE POWER ADMINISTRATION

CONTRACT AND GRANT OF EASEMENT  
Access Road

THIS AGREEMENT, made this 18<sup>th</sup> day of February, 1998 between U. S. TIMBERLANDS KLAMATH FALLS, L.L.C., a Delaware Limited Liability Company, the Grantor, whether one or more, and the UNITED STATES OF AMERICA, Department of Energy, Bonneville Power Administration, pursuant to the Bonneville Project Act, approved August 20, 1937, Ch. 720, 50 Stat. 731, as amended, 16 U.S.C. 832 (1977); the Federal Columbia River Transmission System Act, approved October 18, 1974, (P.L. 93-454), 88 Stat. 1376, 16 U.S.C. 838 (Supp IV); the Department of Energy Organization Act, approved August 4, 1977, (P.L. 95-91); and the Pacific Northwest Electric Power Planning and Conservation Act, approved December 5, 1980, (P.L. 96-501),

WITNESSETH:

That the parties hereto covenant and agree as follows:

The Grantor, for and in consideration of the sum of twenty-four thousand six hundred DOLLARS (\$24,600.00) and the provisions contained in this agreement, hereby grants and conveys to the United States of America a perpetual, non-exclusive easement for access road purposes in, upon, and across the following-described land, to wit:

Right-of-ways over and across existing roads over and across portions of the E1/2E1/2 of Sections 24, 25 and 36, Township 28 South, Range 7 East; Government Lot 4 in Section 7, Government Lots 3 and 4 in Section 18, Government Lots 1 and 2, the E1/2NW1/4, and the W1/2NE1/4 in Section 19, Township 28 South, Range 8 East; Government Lot 1, the SE1/4NE1/4, and all that portion of the SW1/4SE1/4 lying North of State Highway 230, Township 29 South, Range 7 East, all within the Willamette Meridian, Klamath County, Oregon, as shown on Exhibits A, B, C and D, attached hereto and by this reference made a part hereof.

The grant shall include the right to enter and to locate, construct, use, maintain, repair, and reconstruct the road or roads, together with cuts and fills as needed, provided Grantee doesn't interfere or impair use of road by Grantor.

The Grantor reserves the right to use the access for ingress and egress insofar as the same is located on the land of the Grantor, such reserved right to be exercised in a manner that will not interfere with the use of the access by the United States.

The United States shall repair damages to the access caused by or arising out of its use thereof.

The above-listed access may be used for access to and from any existing or future transmission facilities of the United States which have been or may be constructed adjacent or nearly adjacent thereto.

The rights granted herein are subject to easements of record and mineral rights of third parties.

In addition to the consideration recited herein, the United States shall repair or make compensation for damage to agricultural crops, fences, and irrigation and drainage systems within the easement area that occurs as a result of and during construction, reconstruction, removal, or maintenance activities. Payment for such damage shall be made on the basis of a damage estimate approved by the United States.

The Grantor agrees to satisfy of record such encumbrances, including taxes and assessments, as may be required by the United States and to obtain such curative evidences of title as may be requested by the United States.

The United States shall pay all costs incidental to the preparation and recordation of this instrument and for the procurement of the title evidence.

The Grantor covenants to and with the United States that the Grantor is lawfully seized and possessed of the land aforesaid, with a good and lawful right and power to sell and convey the same; that the land is free and clear of encumbrances, except as herein provided; and that the Grantor will forever warrant and defend the title to the rights granted herein and the quiet possession thereof against the lawful claims and all demands of all persons whomsoever.

The provisions hereof shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors, and assigns of the Grantor and upon the assigns of the United States.

For: U.S. TIMBERLANDS KLAMATH FALLS, L.L.C.,  
a Delaware Limited Liability Company

Accepted for the  
UNITED STATES OF AMERICA

Date

By:

Grantor (Title: General Manager )

By

RENEE FEINBERG

Grantor

Title: Mgr for Real Property Field Services

R-KF-87-AR-1

R-KF-87-AR-2, P. 2

R-KF-88-AR-1

R-KF-88-AR-2

Tract No.

R-KF-92-AR-1

GDB:gdb:10/22/97

U.S. DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMINISTRATION

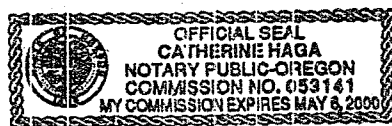
## OFFICIAL/FIDUCIARY ACKNOWLEDGMENT

Washington, Oregon, Idaho, Montana, and California

State of Oregon )  
 ) ss.  
County of Klamath )

On this 18 day of February, 1998, before me personally appeared  
Martin Lugas, known to me  
or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument  
as the General Manager

acknowledged to me that \_\_\_\_\_ he executed the same freely and voluntarily in such capacity; and on  
oath stated that \_\_\_\_\_ he was authorized to execute said instrument in such official or representative  
capacity.



(SEAL)

Catherine Haga  
Notary Public in and for the

State of OregonResiding at MidlandMy commission expires 5/6/2000

EXISTING ROAD == == == == == == == == == ==

ACCESS ROAD R/W WIDTH IS 20' UNLESS  
OTHERWISE NOTED

SURVEY DATA REFERRED TO THE  
BONNEVILLE POWER ADMINISTRATIONS  
REDMOND-KLAMATH FALLS TRANSMISSION  
LINE SURVEY DATED 1951  
REFERENCE DWG NO 53287

200                      0                      400                      800

MAAPPED BY PHOTOGRAMMETRIC METHODS

BEARINGS AND COORDINATES REFERRED TO  
OREGON COORDINATE SYSTEM  
SOUTH ZONE  
TO CONVERT DISTANCES SHOWN TO GRID  
MULTIPLY BY 0.9994697

SEC 7, T28S, R8E, WM  
KLAMATH COUNTY, OREGON

R-KF-87-AR-1  
PACIFIC GAS TRANSMISSION CO  
PARCEL A  
(100' R/W)

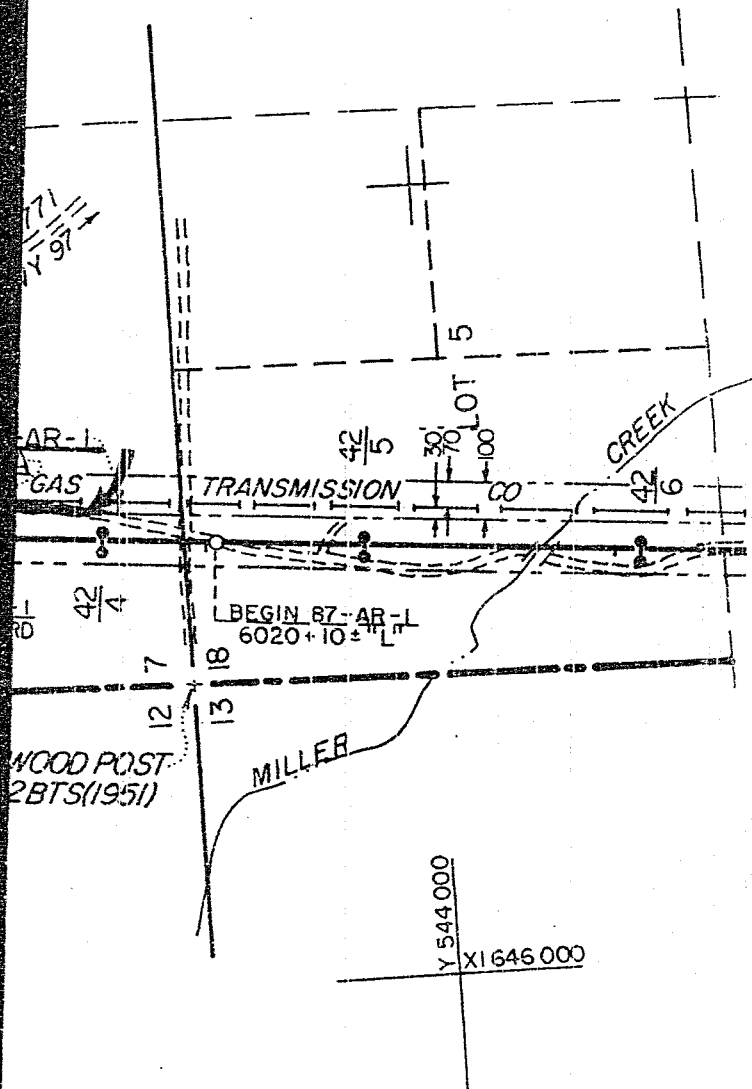
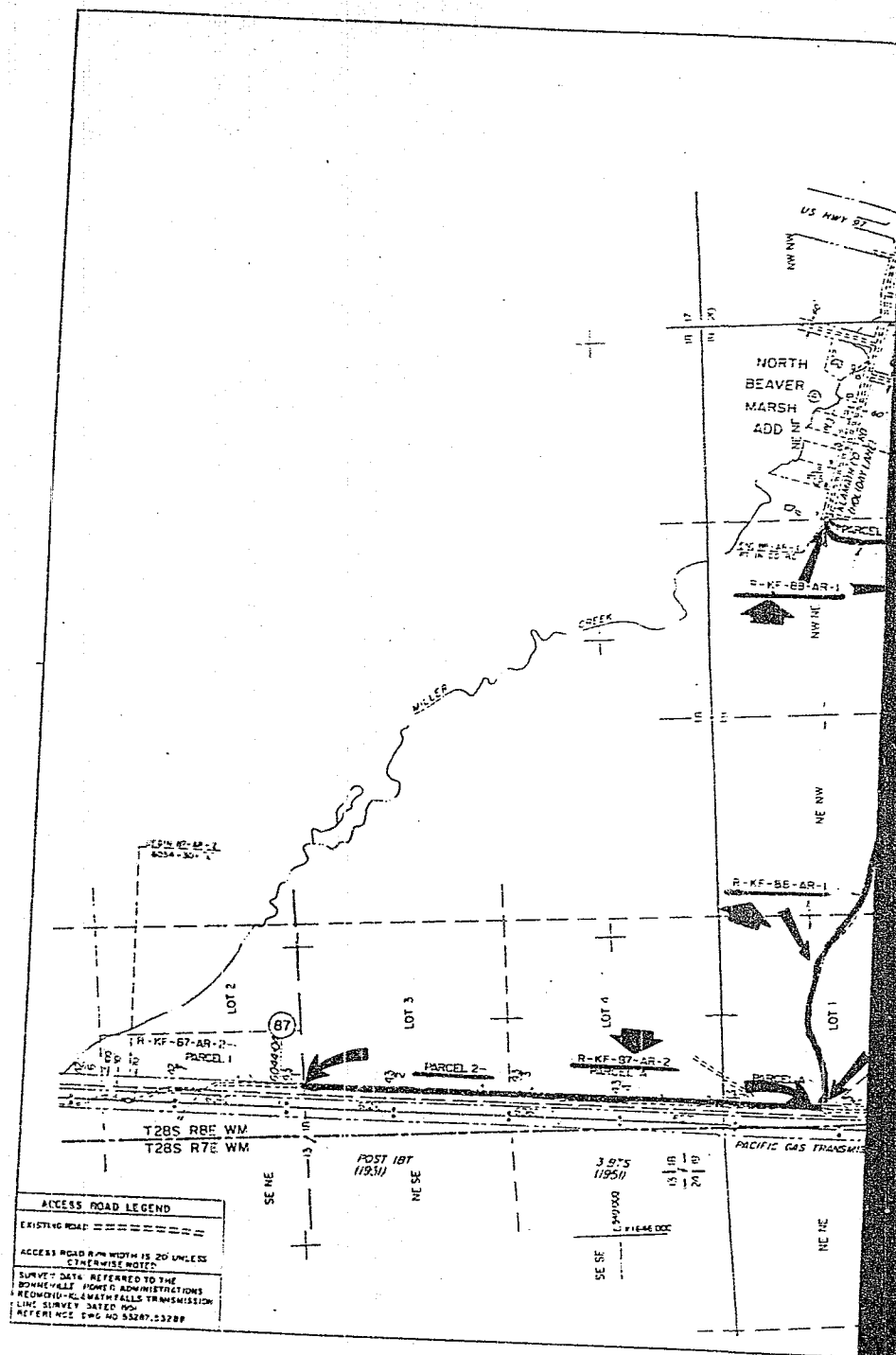


EXHIBIT DATED 3-12-91

REDMOND-KLAMATH FALLS LINE  
ACCESS ROAD ACQUISITION  
EXHIBIT FOR  
R-KF-87-AR-1

William J. Young	3/15/91
Chief Cadastral & Cartographic Section	Date

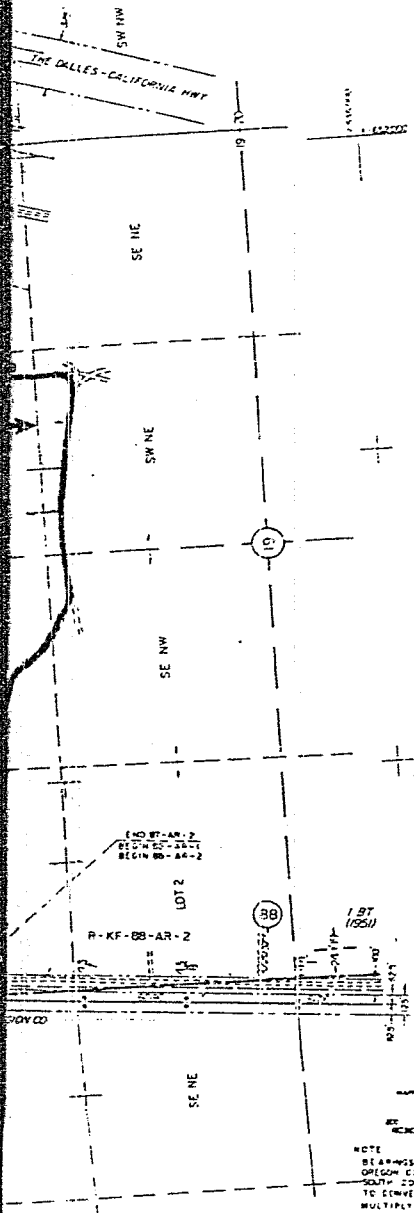
17067



17068

SECS 18 & 19, T2BS, R8E, WM  
KLANATH COUNTY, OREGON

TRACT NO STA TO STA	NAME	LOCATION	SURVEY LENGTH	ACRES
R-KF-37-AR-2	CAROLYN ANSWEEGER	PARCEL 1, PART OF LOT 2, SEC 18	900' OFF R/W	
R-KF-37-AR-2	US TIMBERLANDS KLAMATH FALLS, LLC	PARCEL 2, LOTS 3&4 SEC 18, LOT 1, SEC 19	3350'	
R-KF-38-AR-1		E/2NW/4, W/2NE/4	3070'	
R-KF-37-AR-2	PACIFIC GAS TRANSMISSION CO	PARCEL A	100' R/W	
R-KF-38-AR-1		PARCEL A	100' R/W	
R-KF-38-AR-1	KLAMATH CO RD (HOLIDAY LANE)	PARCEL B	60' R/W	



# Exhibit B

EXHIBIT DATED 3-15-9

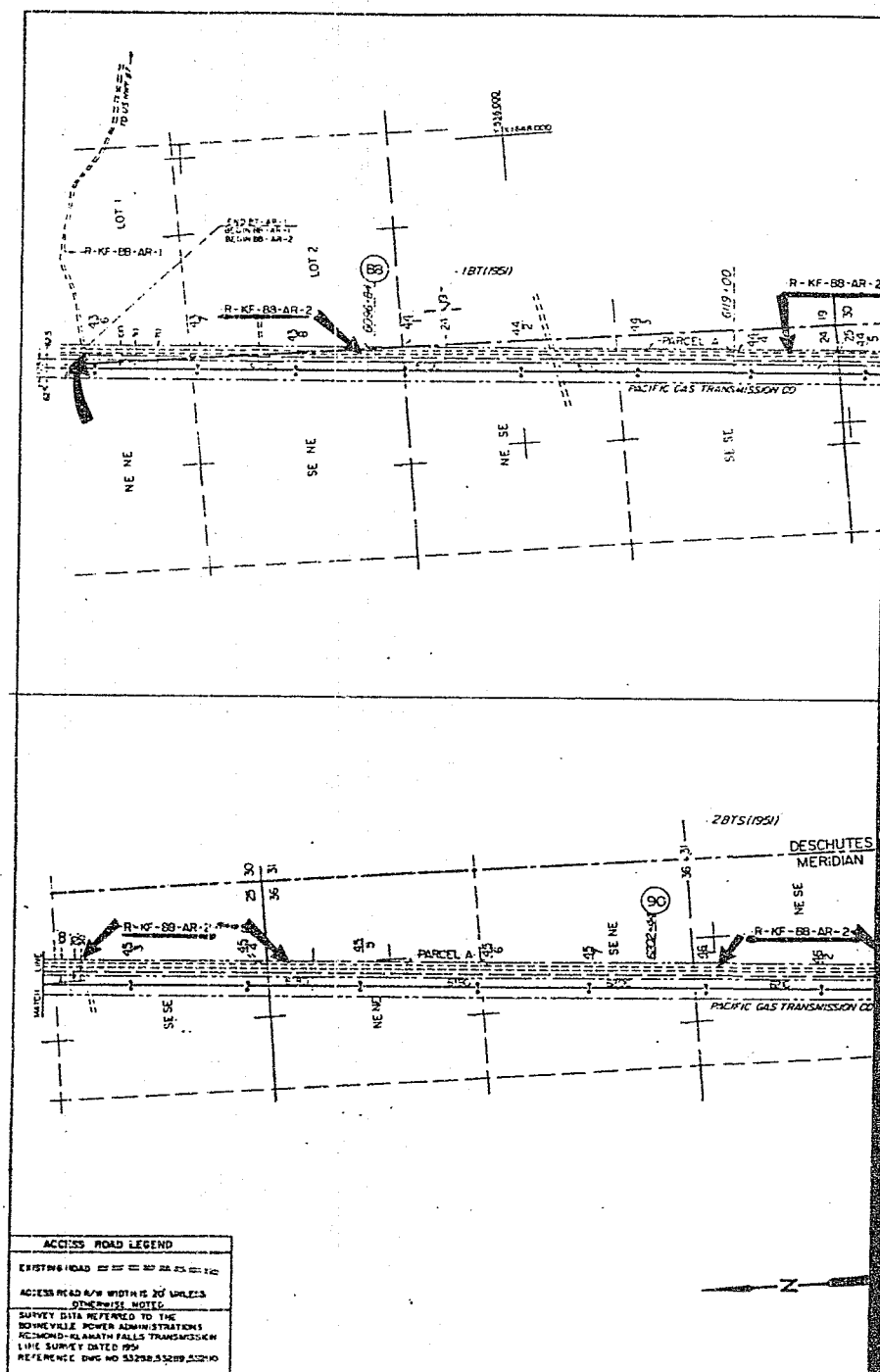
UNITED STATES DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMINISTRATION  
1650 SOUTH 200 WEST, SALT LAKE CITY, UTAH 84143

REDMOND-KLAMATH FALLS LINE

ACCESS ROAD ACQUISITION  
EXHIBIT 525

R-NC-67-25-2, ES-27-:

100

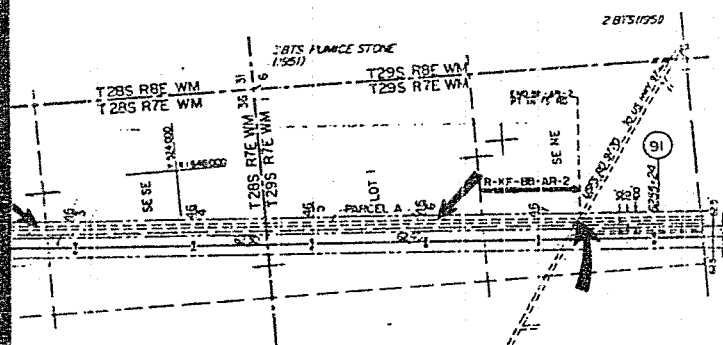
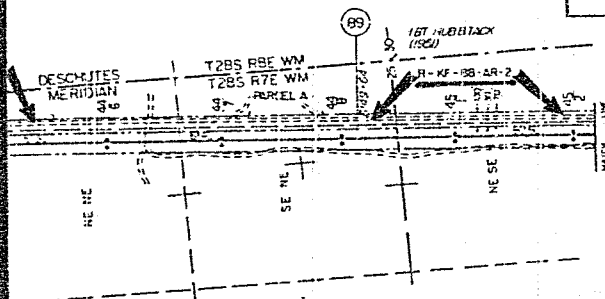




17070

SEC 19, T29S, R3E, WM  
SEC 24, 25 & 36, T28S, R7E, WM  
SEC 1, T29S, R7E, WM  
KLAMATH COUNTY, OREGON

TRACT NO STA TO STA	NAME	LOCATION	SURVEY LENGTH	ACRES
R-KF-88-AR-2	U.S. TIMBERLANDS KLAMATH FALLS, LLC	LOTS 1&2, SEC 19 SEAN#4, E2SE4 SEC 24, E2E2/2 SEC 25 E2E2 SEC 36 LOT 1, SEAN#4, SEC 1	17,185' OFF R.W.	
R-KF-88-AR-2	PACIFIC GAS TRANSMISSION CO	PARCEL A	100' R/W	



## Exhibit C

EXHIBIT DATED 3-21-91

UNITED STATES DEPARTMENT OF ENERGY  
BONNEVILLE POWER ADMINISTRATION  
HEADQUARTERS PORTLAND OREGON

REDMOND-KLAMATH FALLS LINE

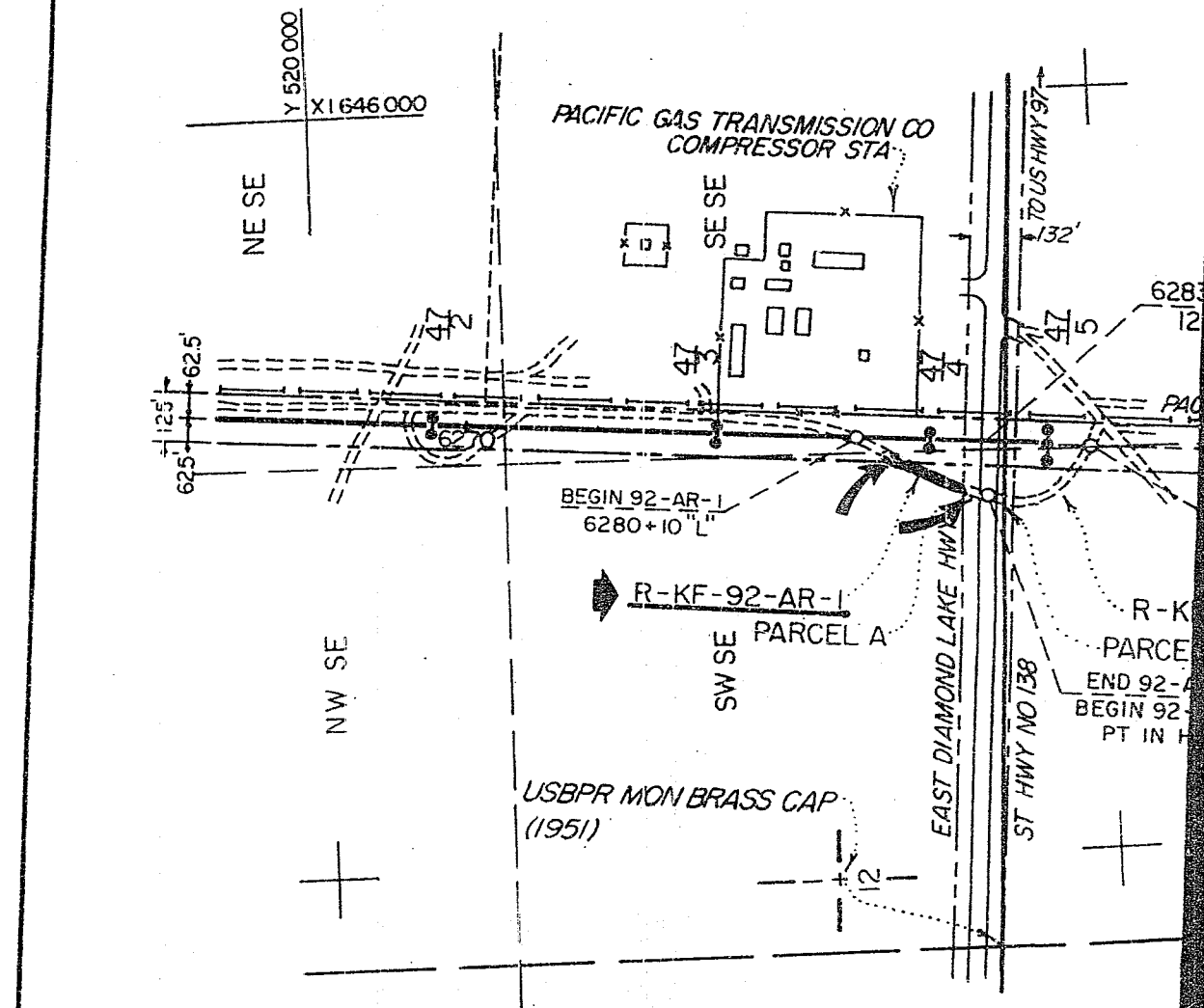
### ACCESS ROAD ACQUISITION

EXHIBIT FOR  
R-XF-BB-AB-2

MAILED BY POST OFFICE FOR NEW YORK  
SCALE

NOTE  
BEARINGS AND COORDINATES REFERRED TO  
OREGON COORDINATE SYSTEM  
SOUTH ZONE  
TO CONVERT DISTANCE: SHOW: TO GRID  
MULTIPLY BY STA 6175+00 BY 1.9996297  
STA 6175+00 BY 1.9996298

Within 1 year	4/15/01
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## ACCESS ROAD LEGEND

EXISTING ROAD = = = = =

ACCESS ROAD R/W WIDTH IS 20' UNLESS  
OTHERWISE NOTEDSURVEY DATA REFERRED TO THE  
BONNEVILLE POWER ADMINISTRATIONS  
REDMOND-KLAMATH FALLS TRANSMISSION  
LINE SURVEY DATED 1951  
REFERENCE DWG NO 53292

## SCALE

200 0 400 800

MADED BY PHOTOGRAMMETRIC METHODS

## NOTE

BEARINGS AND COORDINATES REFERRED TO  
OREGON COORDINATE SYSTEM  
SOUTH ZONE  
TO CONVERT DISTANCES SHOWN TO GRID  
MULTIPLY BY 0.9996208

17072

# SECS 1&12, T29S, R7E, WM

## KLAMATH COUNTY, OREGON

R-KF-92-AR-1  
 US TIMBERLANDS  
 KLAMATH FALLS, LLC  
 190' OFF R/W  
 PART OF SW/4SE/4 SEC 1

R-KF-92-AR-2  
 CROWN PACIFIC  
 180' OFF R/W  
 NW/4NE/4 SEC 12  
 PARCEL 1

R-KF-92-AR-1  
 OREGON STATE DEPT OF TRANS  
 (STATE HWY NO 138)  
 (EAST DIAMOND LAKE HWY)  
 PARCEL 1, 132' R/W

NE NE

+57.9 BPA  
 +75+ HWY

PACIFIC GAS TRANSMISSION CO

PP&amp;L TRANSMISSION LINE

END 92-AR-2  
 6286+10" L

F-92-AR-2

A  
 AR-1  
 AR-2  
 HWY

NW NE

### Exhibit D

EXHIBIT DATED 3-13-91

UNITED STATES DEPARTMENT OF ENERGY  
 BONNEVILLE POWER ADMINISTRATION  
 HEADQUARTERS, PORTLAND, OREGON

REDMOND-KLAMATH FALLS LINE  
 ACCESS ROAD ACQUISITION  
 EXHIBIT FOR  
 R-KF-92-AR-1&2

*William L. Young* 3/15/91  
 Chief Cadastral & Cartographic Section Date

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Aspen Title & Escrow the 19th day  
 of May A.D., 19 98 at 3:15 o'clock P. M., and duly recorded in Vol. M98  
 of Deeds on Page 17062

FEE \$60.00

By *Bernetha G. Letsch* Bernetha G. Letsch, County Clerk