

MC 46023

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That The Trust for Public Land, a California non-profit public benefit corporation, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto The United States of America, Department of the Interior, Bureau of Reclamation hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in the County of Klamath, State of Oregon, described as follows, to-wit:

See Attached Exhibit 'A'

Klamath County Tax Accounts: See Attached Exhibit 'B'

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the grantee and grantee's heirs, successors and assigns forever.

And the grantor hereby covenants to and with the grantee and grantee's heirs, successors and assigns that the real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 5,000,000.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 22nd day of October, 1998; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized thereto by order of its board of directors. The Trust for Public Land, a California non-profit public benefit corporation

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.

By: Nelson J. Lee
Nelson J. Lee
Title: Senior V.P.

By: Tilly Shue
Tilly Shue
Title: Assistant Secretary

STATE OF OREGON, County of _____) ss.

This instrument was acknowledged before me on _____, 19____, by SEE CALIFORNIA ACKNOWLEDGEMENT FORM ATTACHED

This instrument was acknowledged before me on _____, 19____, by _____, as _____ of _____

Notary Public for Oregon

My commission expires _____

The Trust for Public Land
116 New Montgomery
San Francisco, CA 94105
Grantor's Name and Address

U.S. Dept. of Interior, Reclamation
6600 Washburn Way
Klamath Falls, OR 97603
Grantee's Name and Address

Bureau of Reclamation
6600 Washburn Way
Klamath Falls, OR 97603
Also recording return to (Name, Address, Zip):

Until requested otherwise send all tax statements to (Name, Address, Zip):
Bureau of Reclamation
6600 Washburn Way
Klamath Falls, OR 97603

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON,
County of _____) ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said County.

Witness my hand and seal of County affixed.

NAME _____ TITLE _____
By _____, Deputy

ACKNOWLEDGMENT

State of California)
County of San Francisco) ss.

On this 22nd day of October, 1998, before me, Polly E. Powell,
a notary public, personally appeared Nelson J. Lee and
Shue Tily aka Tily Shue, personally known to me ~~(or proved to~~
~~me on the basis of satisfactory evidence)~~ to be the person(s) whose name(s) ~~is/are~~ subscribed
to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in
~~his/her/their~~ authorized capacity(ies) and that by ~~his/her/their~~ signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the
instrument.

Polly E. Powell
Notary Public

My commission expires August 18, 2000

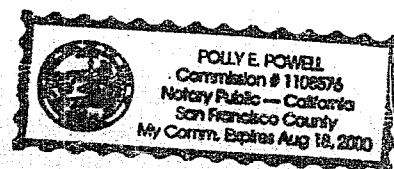


EXHIBIT "A"
LEGAL DESCRIPTION

39900

Townships 34 and 35 South, Range 7 1/2 East of the Willamette Meridian

All those portions of Sections 20, 21, 22, 26, 27, 28, 29, 33 and 34, Township 34 South, Range 7 1/2 East of the Willamette Meridian, and Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17 and 18, Township 35 South, Range 7 1/2 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the intersection of the center line of Seven Mile Canal, as the same is now located and constructed with a line parallel with a 70.0 feet distant at right angles Southeasterly from the centerline of the Dixon and McQuiston Lower Levee as the same is now located and constructed and from which point the Southeasterly corner of Section 1, Township 34 South, Range 6 East of the Willamette Meridian, as established by Norman D. Price, U.S. Cadastral Engineer, between October 31, 1930 and June 22, 1931, bears North 52 degrees 51 1/2' West 18,650.2 feet distant, and running thence South 44 degrees 40' West along the aforementioned parallel line 7,011.7 feet; thence South 12 degrees 30' East along a line parallel with and 70.0 feet distant at right angles Northeasterly from the center line of the said Dixon and McQuiston Lower Levee, 2,622.3 feet, more or less, to a point in the section line between the said Sections 28 and 29, Township 34 South, Range 7 1/2 East of the Willamette Meridian; thence Southerly along the said section line between the said Sections 28 and 29, and Sections 32 and 33 of the same township and Range, 7,928 feet, more or less, to the Southeasterly corner of the said Section 32; thence Southerly along the section line between the said Sections 4 and 5, Township 35 South, Range 7 1/2 East of the Willamette Meridian, 788.3 feet; thence Westerly along a line parallel with and 788.3 feet distant at right angles Southerly from the township line between Township 34 South, Range 7 1/2 East of the Willamette Meridian and Township 35 South, Range 7 1/2 East of the Willamette Meridian, 10,560 feet, more or less, to a point in the line marking the Westerly boundary of Section 6, Township 35 South, Range 7 1/2 East of the Willamette Meridian; thence Southerly along the Westerly boundary of the said Section 6, 4,492 feet, more or less, to the Southwesterly corner of the said Section 6; thence continuing Southerly along the Westerly boundary of Section 7, 5,280 feet, more or less, to the Southwesterly corner of said Section 7; thence continuing South along the West line of Section 18 a distance of 660 feet; thence East, parallel with and 660 feet South of the North lines of Sections 18 and 17, a distance of 10,560 feet, more or less to the East line of Section 7; thence continuing East along said parallel line a distance of 1,980.0 feet to a point; thence North at right angles to said parallel line a distance of 660 feet to a point on the South line of Section 9 which is 1,980.0 feet East of the Southwest corner thereof; thence North 13 degrees 46' East a distance of 2,717.95 feet, more or less, to the center of Section 9 and the Southwest corner of Lot 2 in said Section 9; thence North 44 degrees 52' East to the Northeast corner of said Lot 2; thence continuing North 44 degrees 52' East a distance of 0.983 chains; thence North 86 degrees 54' East a distance of 81.715 chains to a point on the East line of Section 10 and on the meander line of Agency Lake; thence Northerly along the shore line of Agency Lake to its intersection with the center line of the Seven Mile Canal as the same is now located and constructed; thence North 41 degrees 02' 30" West, along said center line, a distance of 11,000 feet, more or less, to the point of beginning.

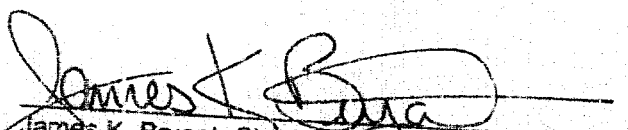
EXHIBIT "B"

| | |
|------------------------------|---------------|
| Account No: 3407-V0000-04000 | Key No: 77507 |
| Account No: 3407-V0000-04300 | Key No: 77534 |
| Account No: 3407-V0000-04500 | Key No: 77543 |
| Account No: 3407-V0000-04800 | Key No: 77703 |
| Account No: 3407-V0000-05000 | Key No: 77721 |
| Account No: 3407-V0000-05100 | Key No: 77730 |
| Account No: 3407-V0000-05200 | Key No: 77749 |
| Account No: 3407-V0000-05900 | Key No: 77794 |
| Account No: 3407-V0000-06000 | Key No: 77801 |
| Account No: 3507-V0000-00100 | Key No: 77847 |
| Account No: 3507-V0000-00200 | Key No: 77856 |
| Account No: 3507-V0000-00300 | Key No: 77865 |
| Account No: 3507-V0000-00500 | Key No: 77874 |
| Account No: 3507-V0000-00700 | Key No: 77909 |
| Account No: 3507-V0000-00900 | Key No: 77918 |
| Account No: 3507-V0000-00900 | Key No: 77927 |
| Account No: 3507-V0000-01000 | Key No: 77936 |
| Account No: 3507-V0000-01100 | Key No: 77981 |

33902

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the attached Grant Deed is accepted by the United States of America Bureau of Reclamation, a governmental agency, subject to approval of title by the Department of Justice. The United States of America hereby consents to recordation of this document by order of its duly authorized officer shown below.


James K. Bryant, Chief, Division of Water & Lands
United States Department of Interior
Bureau of Reclamation

10 - 30 - 98
Date

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle
of October A.D. 19 98 at 1:42 o'clock P. M., and duly recorded in Vol. M98
of Deeds on Page 39898

FEE \$50.00

By Bernetha G. Letsch, County Clerk