

NA mtc 47479

SPECIAL WARRANTY DEED—STATUTORY FORM

Vol M99 Page 34795

Roseburg Resources Co., as to parcels Corporate Grantor

3 & 9 & Roseburg Resources Co. as successor by merger with Divide, a corporation duly organized Resources, Inc. as to parcels #1, 2, 4, 5, 6, 7, 8, 10, 11 and existing under the laws of the State of OREGON, Grantor, conveys and specially warrants to

Larry D. Olson * * * * * Grantee, the following described real property free of encumbrances created or suffered by the grantor except as specifically set forth herein, situated in K amath County, Oregon, to-wit:

as set forth in exhibit "A" attached hereto & made a part hereof by reference herein:

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The property is free of all encumbrances created or suffered by the Grantor except those set forth in attached exhibits attached hereto & incorporated herein by reference

The true consideration for this conveyance is \$ 2,056,074.00 (Here comply with the requirements of ORS 93.030)

Done by order of the grantor's board of directors with its corporate seal, if any, affixed on July 30, 1999.

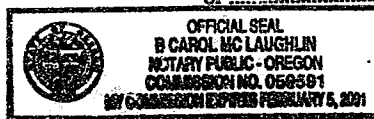
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Roseburg Resources Co. successor by merger with Divide Resources, Inc. & ROSEBURG RESOURCES CO.

By Allyn C. Ford, President
By _____, Secretary

STATE OF OREGON, County of Douglas ss.

This instrument was acknowledged before me on July 30, 1999,
by Allyn C. Ford
as President
of Roseburg Resources Co.



B. Carol McLaughlin
Notary Public for Oregon
My commission expires 2/05/01

SPECIAL WARRANTY DEED

Roseburg Resources Co. GRANTOR
Larry D. Olson GRANTEE

GRANTEE'S ADDRESS, ZIP

After recording return to:
grantee at: 700 Port Ave.

St. Helens, OR 97051

NAME, ADDRESS, ZIP

Until a change is requested, all tax statements shall be sent to the following address:
grantee at above address

NAME, ADDRESS, ZIP

STATE OF OREGON, } ss.
County of _____

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 _____ 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

SPACE RESERVED
FOR
RECORDER'S USE

EXHIBIT "A"
LEGAL DESCRIPTION

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PARCEL 1:

Section 20 - SE1/4 SE1/4, EXCEPTING THEREFROM that portion within Ivory Pines Road
Section 21 - SW1/4 SW1/4
Section 28 - NW1/4, EXCEPTING THEREFROM that portion within Ivory Pines Road
Section 33 - NW1/4, EXCEPTING THEREFROM that portion within Ivory Pines Road

All being in Township 35 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2:

Section 20 - E1/2 SW1/4 SE1/4, S1/2 SE1/4 SE1/4
Section 28 - N1/2, N1/2 SW1/4, N1/2 S1/2 SW1/4, W1/2 E1/2 NW1/4 SE1/4, W1/2 NW1/4 SE1/4,
NW1/4 SW1/4 SE1/4, EXCEPTING THEREFROM that portion lying within Ivory Pine Road
Section 29 - NE1/4, NE1/4 NW1/4, E1/2 NW1/4 NW1/4, E1/2 SW1/4 NW1/4, SE1/4 NW1/4, SW1/4
Section 31 - E1/2 NE1/4, EXCEPTING THEREFROM that portion lying within Ivory Pine Road
Section 32 - SW1/4

All being in Township 35 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 3:

Section 5 - S1/2 SE1/4
Section 8 - N1/2 NE1/4

All being in Township 35 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 4:

Section 23 - SE1/4 NE1/4, NW1/4, SW1/4, E1/2 SE1/4
Section 26 - NE1/4 NE1/4
Section 27 - SE1/4 NE1/4, NE1/4 SW1/4, N1/2 SE1/4
Section 35 - W1/2 NE1/4, E1/2 NW1/4

All being in Township 37 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 5:

Section 25 - SW1/4 SW1/4
Section 36 - NE1/4, N1/2 NW1/4

All being in Township 36 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 6:

Section 19 - SE1/4

All being in Township 37 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 7:

Section 25 - SE1/4 NE1/4

All being in Township 40 South, Range 15 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 8:

Section 19- NE1/4SW1/4, SE1/4SW1/4, Government Lot 4, SW1/4SE1/4, EXCEPTING THEREFROM
railroad right of way commonly known as the Weyerhaeuser Company Woods Line Railroad.

All being in Township 33 South, Range 14 East of the Willamette Meridian, Klamath
County, Oregon.

Exhibit "A"

PARCEL 9:

Section 18- NE1/4, E1/2NW1/4, W1/2SE1/4, NE1/4SW1/4, Government Lots 1, 2, and 3.
All being in Township 39 South, Range 6 East of the Willamette Meridian, Klamath
County, Oregon.

PARCEL 10:

Section 24- S1/2S1/2, EXCEPTING THEREFROM that portion within Keno Access Road.
All being in Township 38 South, Range 5 East of the Willamette meridian, Klamath
County, Oregon.

PARCEL 11:

Section 2- Government Lots 1, 2, 3 & 4, SW1/4NE1/4, SE1/4NW1/4, E1/2SW1/4

Section 4- S1/2NE1/4, SE1/4NW1/4 EXCEPTING THEREFROM that portion within Clover Creek Rd.

Section 10- N1/2E1/2SW1/4, SE1/4

Section 12- NE1/4, EXCEPTING THEREFROM that portion within Clover Creek Road.

Section 16- all

Section 22- All, EXCEPTING THEREFROM that portion within Keno access road.

Section 26- Government Lots 1 and 2, S1/2NE1/4

All being in Township 38 South, Range 5 East of the Willamette Meridian, Klamath
County, Oregon.

SUBJECT TO:

1. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing.

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2. The premises herein are within and subject to the statutory powers, including the power of assessment of Klamath Lake Timber.

3. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as Potential Forest Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied.

4. Rights of the public and of governmental bodies in and to that portion of the premises described herein, now or at any time lying below the high water mark of the unnamed creeks, including any ownership rights which may be claimed by the State of Oregon, in and to any portion of the premises now or at any time lying below the ordinary high water mark thereof.

5. Ancestral rights, if any, of descendants of aboriginal inhabitants to occupy, use and possess any portion of the premises, as reserved by treaties, understandings, practice, statutes, or judicial decisions; for food gathering, shelter, religious ceremonies, social and economic gatherings, ball fields and burial sites.

6. Rights of the public in and to any portion of said property lying within the limits of public roads, all railroad rights, all unrecorded rights of way and easements, and any discrepancies or conflicts in boundary lines or shortages in area or encroachments, which a correct survey or an inspection of the herein granted premises would disclose.

7. Reservation of all subsurface rights, excepting water, as disclosed in Deed to Restricted Indian Land,

Dated: September 13, 1955

Recorded: December 7, 1955

Volume: 279, page 453, Deed Records of Klamath County, Oregon

Grantor: Kate Villard John

Grantee: Weyerhaeuser Timber Company

Affects: SE1/4 SE14/ Section 20, Township 35 South, Range 12 East; SW1/4 SW1/4 Section 21, Township 35 South, Range 12 East; W1/2 NW1/4 Section 28, Township 35 South, Range 12 East

8. Subject to any unrecorded leases, permits, tenancies, if any.

9. Reservations of Mineral Rights as set forth in deed, subject to the terms and provisions thereof, from The Long-Bell Lumber Company to Weyerhaeuser Timber Company, recorded December 30, 1927 in Book 79, page 282, Deed Records of Klamath County, Oregon.

Statement of Claim, subject to the terms and provisions thereof;

Recorded: August 5, 1986

Volume: M86, page 13766, Microfilm Records of Klamath County, Oregon

(Affects Section 22, Township 38 South, Range 5 East)

10. Reservation of all oil, gas and minerals, as disclosed in Deed to Restricted Indian Land,

Dated: December 15, 1955

Recorded: May 14, 1956

Volume: 283, page 137, AF #10057, Deed Records of Klamath County, Oregon

Grantor: George A. DuFault

Grantee: Weyerhaeuser Timber Company

Affects: NW1/4 Section 33, Township 35 South, Range 12 East

11. Reservation of all subsurface rights, excepting water, as disclosed in Patent,

Dated: February 29, 1956

Recorded: May 14, 1956

Volume: 283, page 147, AF #10062, Deed Records of Klamath County, Oregon

Grantor: U.S. Bureau of Land Management

Grantee: Weyerhaeuser Timber Company

Affects: S1/2 SE1/4 Section 20, Township 35 South, Range 13 East; NE1/4 Section 29, Township 35 South, Range 13 East

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12. Reservation of all oil and gas, and mineral rights, as disclosed in Deed to Restricted Indian Land,

Dated: April 13, 1956

Recorded: May 24, 1956

Volume: 283, page 347, AF #10364, Deed Records of Klamath County, Oregon

Grantor: Frances Ella Ellison Ball, et vir

Grantee: Weyerhaeuser Timber Company

Affects: SW1/4 Section 29, Township 35 South, Range 13 East

13. Reservation of all subsurface rights, except water, as disclosed in Deed to Restricted Indian Land;

Dated: November 28, 1956

Recorded: January 21, 1957

Volume: 289, page 213, Deed Records of Klamath County, Oregon

Grantor: Clarice George Lotches, et vir

Grantee: Weyerhaeuser Timber Company

Affects: SW1/4 Section 32, Township 35 South, Range 13 East

14. Reservation of all subsurface rights, except water, as disclosed in Warranty Deed,

Dated: February 18, 1957

Recorded: February 21, 1957

Volume: 290, page 94, Deed Records of Klamath County, Oregon

Grantor: R.A. Briggs, et al

Grantee: Weyerhaeuser Timber Company

Affects: NE1/4, NE1/4 Section 28, Township 35 South, Range 13 East

15. Reservation of all subsurface rights, except water, as disclosed in Deed,

Dated: April 19, 1957

Recorded: July 5, 1957

Volume: 292, page 80, Deed Records of Klamath County, Oregon

Grantor: U. S. Department of the Interior

Grantee: Weyerhaeuser Timber Company

Affects: W1/2 W1/2 NE1/4, E1/2 W1/2 NW1/4, Section 29, Township 35 South, Range 13 East

16. An Access Road Easement created by instrument, subject to the terms and provisions thereof,

Dated: August 11, 1959

Recorded: September 8, 1959

Volume: 315, page 446, Deed Records of Klamath County, Oregon

In Favor Of: United States of America

For: Access road

Affects: Section 22, Township 38 South, Range 5 East and Section 24, Township 38 South, Range 5 East

(Parcels 1 and 2)

17. Correction Easement Access Road Easement, subject to the terms and provisions thereof;

Dated: January 12, 1962

Recorded: January 29, 1962

Volume: 335, page 263, Deed Records of Klamath County, Oregon

In favor of: United States of America

For: A strip of land 100 feet in width for roadway

Affects: Section 24, Township 38, Range 5 East

18 Release of a portion of Access Road, subject to the terms and provisions thereof;

Recorded: June 29, 1977

Volume: M77, page 11590, Microfilm Records of Klamath County, Oregon

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19. Right of Way and Road Use Agreement, subject to the terms and provisions thereof;
Recorded: July 8, 1963
Volume: 346, page 367, Deed Records of Klamath County, Oregon
In Favor of: United States of America
Affects: Roadway - Portions of Sections 16, 22 and 24, Township 38 South, Range 5 East
(Parcels 1 and 2)
- Agreement, subject to the terms and provisions thereof;
Recorded: January 9, 1964
Volume: 350, page 362, Deed Records of Klamath County, Oregon
- Amendment #5, subject to the terms and provisions thereof;
Recorded: June 12, 1970
Volume: M70, page 4750, Microfilm Records of Klamath County, Oregon
- Amendment #6, subject to the terms and provisions thereof;
Recorded: September 23, 1970
Volume: M70, page 8428, Microfilm Records of Klamath County, Oregon
- Amendment #7, subject to the terms and provisions thereof;
Recorded: March 12, 1973
Volume: M73, page 2551, Microfilm Records of Klamath County, Oregon
- Amendment #8, subject to the terms and provisions thereof;
Recorded: February 27, 1974
Volume: M74, page 2828, Microfilm Records of Klamath County, Oregon
- Amendment #9, subject to the terms and provisions thereof;
Recorded: May 23, 1975
Volume: M75, page 5728, Microfilm Records of Klamath County, Oregon
- Amendment #10, subject to the terms and provisions thereof;
Recorded: April 15, 1981
Volume: M81, page 6738, Microfilm Records of Klamath County, Oregon
- Amendment #11, subject to the terms and provisions thereof;
Recorded: October 18, 1984
Volume: M84, page 17935, Microfilm Records of Klamath County, Oregon
- Amendment #12, subject to the terms and provisions thereof;
Recorded: December 27, 1988
Volume: M88, page 21974, Microfilm Records of Klamath County, Oregon
- Amendment #1 to O&C Logging Road Right of Way, subject to the terms and provisions thereof;
Recorded: June 5, 1997
Volume: M97, page 17259, Microfilm Records of Klamath County, Oregon
- Assignment of Right-of-way permit or Grant, subject to the terms and provisions thereof;
Recorded: October 22, 1998
Volume: M98, page 38770, Microfilm Records of Klamath County, Oregon
Assignor: Divide Resources, Inc.
Assignee: Roseburg Resources Co.
20. Approved Road Rights of Way through Klamath Indian Reservation Tribal Land, subject to the terms and provisions thereof;
Dated: June 24, 1955
Volume: 13 of Miscellaneous Records of Klamath County
Affects: SW1/4 SE1/4 of Section 28, Township 35 South, Range 13 East

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21. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 28, 1959
Recorded: January 15, 1960
Volume: 13, page 594, Miscellaneous Records of Klamath County, Oregon
In favor of: United States of America, Department of the Interior, Bureau of
Indian Affairs

Affects: SE1/4 SE1/4 of Section 20, Township 35 South, Range 12 East
W1/2 NW1/4 of Section 28, Township 35 South, Range 12 East
S1/2 SE1/4 SE1/4 of Section 20, Township 35 South, Range 13 East
NE1/4 NE1/4, E1/2 W1/2 NE1/4 of Section 29, Township 35 South, Range 13 East
NW1/4 of Section 33, Township 35 South, Range 12 East
SE1/4 NE1/4 of Section 31, Township 35 South, Range 13 East
Section 10, Township 33 South, Range 13 East
W1/2 SW1/4 of Section 35, Township 32 South, Range 7 East
Rights subsequently transferred to Klamath County Oregon

Amendment to Easement, subject to the terms and provisions thereof;
Recorded: May 2, 1986
Volume: M86, page 7606, Microfilm Records of Klamath County, Oregon

22. Transmission Line Easement created by instrument, subject to the terms and provisions thereof,

Dated: January 20, 1966
Recorded: February 18, 1966
Volume: M66, page 1391, Microfilm Records of Klamath County, Oregon
In favor of: Portland General Electric Company
For: Electric power transmission lines
Affects: E1/2 SW1/4 SE1/4 of Section 20, Township 35 South, Range 13 East
W1/2 NE1/4, E1/2 NW1/4, NE1/4 SW1/4, S1/2 SW1/4 of Section 29, Township 35
South, Range 13 East
NW1/4 SW1/4 of Section 32, Township 35 South, Range 13 East

23. Transmission Line Easement created by instrument, subject to the terms and provisions thereof,

Dated: January 20, 1966
Recorded: March 31, 1966
Volume: M66, page 2852, Microfilm Records of Klamath County, Oregon
In favor of: United States of America
For: Transmission line right of way
Affects: E1/2 SW1/4 SE1/4 of Section 20, Township 35 South, Range 13 East
NW1/4 NE1/4, E1/2 NW1/4, NE1/4 SW1/4, S1/2 SW1/4 of Section 29, Township 35
South, Range 13 East
SE1/4 NE1/4 of Section 31, Township 35 South, Range 13 East
NW1/4 SW1/4 of Section 32, Township 35 South, Range 13 East

24. An easement created by instrument, subject to the terms and provisions thereof,
Dated: April 4, 1969

Recorded: June 17, 1969
Volume: M69, page 4763, Microfilm Records of Klamath County, Oregon
In favor of: United States of America
For: Roadway
Affects: Section 2, Township 38 South, Range 5 East
Section 4, Township 38 South, Range 5 East
Section 12, Township 38 South, Range 5 East
(Parcel 1)

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25. An easement created by instrument, subject to the terms and provisions thereof,
Dated: September 16, 1969
Recorded: April 1, 1970
Volume: M70, page 2498, Microfilm Records of Klamath County, Oregon
In favor of: United States of America
For: Right of Way for road
Affects: Section 2, Township 38 South, Range 5 East
Section 4, Township 38 South, Range 5 East
Section 12, Township 38 South, Range 5 East
(Parcel 1)
26. An easement created by instrument, subject to the terms and provisions thereof,
Dated: September 21, 1970
Recorded: April 8, 1971
Volume: M71, page 2951, Microfilm Records of Klamath County, Oregon
In favor of: United States of America
For: Roadway
Correction Deed, subject to the terms and provisions thereof,
Recorded: November 17, 1986
Volume: M86, page 20998, Microfilm Records of Klamath County, Oregon
Termination of a Segment of an Easement, subject to the terms and provisions thereof;
Recorded: March 16, 1995
Volume: M95, page 5892, Microfilm Records of Klamath County, Oregon
Affects: N1/2 NW1/4, SE1/4 NW1/4, N1/2 SW1/4, SW1/4 SW1/4 of Section 23, Township 37
South, Range 14 East
SE1/4 NE1/4, NE1/4 SE1/4 of Section 27, Township 37 South, Range 14 East
NE1/4, NW1/4, N1/2 SW1/4 of Section 25, Township 36 South, Range 15 East
SE1/4 SE1/4 of Section 20, Township 35 South, Range 13 East
N1/2 NE1/4, SW1/4 NE1/4 of Section 29, Township 35 South, Range 13 East
Section 25, Township 40 South, Range 15 East
27. An easement created by instrument, subject to the terms and provisions thereof,
Dated: June 2, 1975
Recorded: June 23, 1975
Volume: M75, page 7076, Microfilm Records of Klamath County, Oregon
In favor of: Doris VonderHellen, Nancy Charley, William C. Rose and Marilyn Wooton
For: Easement for ingress and egress
Affects: Sections 10 and 22, Township 38 South, Range 5 East
(Parcel 1)
28. An easement created by instrument, subject to the terms and provisions thereof,
Dated: October 25, 1976
Recorded: March 7, 1977
Volume: M77, page 3911, Microfilm Records of Klamath County, Oregon
In favor of: Weyerhaeuser Company
For: Road easement
Affects: SE1/4 SE1/4 Section 20, Township 35 South, Range 12 East
SW1/4 SW1/4 Section 21, Township 35 South, Range 12 East
W1/2 NW1/4 Section 28, Township 35 South, Range 12 East
29. A Road Easement created by instrument, subject to the terms and provisions thereof,
Dated: March 24, 1977
Recorded: June 30, 1977
Volume: M77, page 11586, Microfilm Records of Klamath County, Oregon
Grantee: The United States of America
For: Access road
Affects: Section 22, Township 38 South, Range 5 East
(Parcel 1)

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30. An easement created by instrument, subject to the terms and provisions thereof,
Dated: April 1, 1980
Recorded: May 29, 1980
Volume: M80, page 9722, Microfilm Records of Klamath County, Oregon
In favor of: United States of America
For: Roadway
Affects: SW1/4 SW1/4 of Section 25, Township 36 South, Range 15 East
31. An easement created by instrument, subject to the terms and provisions thereof,
Dated: April 3, 1981
Recorded: May 19, 1981
Volume: M81, page 8778, Microfilm Records of Klamath County, Oregon
In favor of: Pacific Power & Light Company
For: Electrical transmission line
Affects: E1/2 SW1/4 SE1/4 of Section 20, Township 35 South, Range 13 East
W1/2 NE1/4, SE1/4 NW1/4, NE1/4 SW1/4, S1/2 SW1/4 of Section 29, Township 35 South, Range 13 East
NW1/4 SW1/4 of Section 32, Township 35 South, Range 13 East
32. A Right of Way Easement created by instrument, subject to the terms and provisions thereof,
Dated: October 8, 1982
Recorded: August 19, 1983
Volume: M83, page 13972, Microfilm Records of Klamath County, Oregon
Grantor: Weyerhaeuser Company
Grantee: Pacific Power & Light Company
For: Easement for electric transmission line
Affects: NW1/4 SW1/4, S1/2 SW1/4 of Section 29, Township 35 South, Range 13 East
33. An easement for created by instrument, subject to the terms and provisions thereof,
Dated: September 5, 1984
Recorded: October 3, 1984
Volume: M84, page 16949, Microfilm Records of Klamath County, Oregon
Grantor: Weyerhaeuser Company
Grantee: Telephone Utilities of Eastern Oregon, Inc.
For: Buried cable
Affects: SE1/4 SE1/4 of Section 20, Township 35 South, Range 12 East
SW1/4 SW1/4 of Section 21, Township 35 South, Range 12 East
W1/2 NW1/4 of Section 28, Township 35 South, Range 12 East
SW1/4 NW1/4 of Section 28, Township 34 South, Range 8 East
34. A Easement Exchange created by instrument, subject to the terms and provisions thereof,
Dated: August 16, 1988
Recorded: October 19, 1990
Volume: M90, page 21049, Microfilm Records of Klamath County, Oregon
Grantor: Weyerhaeuser Company
Grantee: Beth Lowenbach
For: Road easement
Affects: N1/2 SW1/4, SE1/4 SW1/4 of Section 23, Township 37 South, Range 14 East
35. Reservations in Bargain and Sale Deed, subject to the terms and provisions thereof, recorded January 9, 1992 in Volume M92, page 455, as follows:
"EXCEPTING from said conveyance all ores, base and precious metals, coal, oil, gas, other liquid or gaseous hydrocarbons, minerals, and mineral bearing substances of every kind and character, hereinafter referred to as "Mineral Interests," now known to exist or hereafter discovered in the Property, but not including common rock, sand, gravel, cinders, or clay commonly used for road construction purposes; and SUBJECT TO use of the surface and subsurface of the Property by owners of such mineral interest in connection with exploration for, extraction, treatment, development, and disposition of such mineral interest."

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36. Reservations in Warranty Deed, subject to the terms and provisions thereof;
Recorded: July 8, 1993
Volume: M93, page 16440, Microfilm Records of Klamath County, Oregon AND
Recorded: August 20, 1993
Volume: M93, page 20944, Microfilm Records of Klamath County, Oregon AND
Recorded: August 20, 1993
Volume: M93, page 20952, Microfilm Records of Klamath County, Oregon AND
Recorded: December 17, 1993
Volume: M93, page 33608, Microfilm Records of Klamath County, Oregon
To wit:

"To the extent not heretofore conveyed, excepted or reserved, the Grantor hereby expressly saves, excepts and reserves out of the the grant hereby made, unto itself, its successors and assigns, forever, all geothermal steam and heat and all metals, ores and minerals of any nature whatsoever in or upon said land including, but not limited to, coal, lignite, peat, oil and gas. including coal seam gas, together with the right to enter upon said land for the purpose of exploring the same for such geothermal resources, metals, ores and minerals, and drilling, opening, developing and working mines and wells thereon and taking out and removing therefrom, including by surface mining methods, all such geothermal resources, metals, ores and minerals, and to occupy and make use of so much of the surface of said land as may be reasonably necessary for said purposes; provided, that Grantee and Grantee's heirs, representatives, successors and assigns, shall be paid just and reasonable compensation for any injury or damage to the surface of said land, to the crops or to the improvements thereon caused by the exercise of any rights herein reserved; provided, further, that the exercise of such rights by Grantor shall not be postponed or delayed pending reasonable efforts to agree upon or have determined such just and reasonable compensation."

37. Reservations in Warranty Deed, subject to the terms and provisions thereof;
Recorded: August 20, 1993
Volume: M93, page 20952, Microfilm Records of Klamath County, Oregon
To wit:

"Grantor reserves the right to use for railroad, recreation trail and other transportation purposes the existing railroad right of way over and across the N1/2 N1/2 of Section 28, and the N1/2 NE1/4, SW1/4 NE1/4, E1/2 SW1/4 of Section 29, both in Township 35 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon. Such use shall include the right to enter into a rail banking agreement with the State of Oregon."

38. Reservations in Warranty Deed, subject to the terms and provisions thereof;
Recorded: August 20, 1993
Volume: M93, page 20952, Microfilm Records of Klamath County, Oregon
To wit:

"Grantor reserves, in perpetuity, the right to use for all road purposes, for access to and from lands and timber now owned or hereafter acquired by Grantor, those roads over and across the following described lands:

W1/2 of Section 23, Township 37 South, Range 14 East
SE1/4 NE1/4, NE1/4 SE1/4 of Section 27, Township 37 South, Range 14 East
SW1/4 SW1/4 of Section 25, Township 36 South, Range 15 East
NE1/4, N1/2 NW1/4 of Section 36, Township 36 South, Range 15 East

Grantor reserves the right to use for railroad, recreation trail and other transportation purposes the existing railroad right of way over and across the SE1/4 NE1/4 of Section 31, Township 35 South, Range 13 East of the Willamette Meridian, Klamath County, Oregon. Such use shall include the right to enter into a rail banking agreement with the State of Oregon."

39. 1999-2000 real property taxes, a lien not yet due and payable.

40. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water; whether or not the matters excepted under same are shown by the public records.
41. Subject to encroachments & boundary discrepancies which will be disclosed by a survey or an inspection of the property.

State of Oregon, County of Klamath
Recorded 8/27/99, at 3:37 p m.
In Vol. M99 Page 34736
Linda Smith,
County Clerk Fee \$ 80⁰⁰