

05 JUN 06 PM 03:14

MTC-69310 TM

AFTER RECORDING, RETURN TO:

Larry D. Olson
445 Port Avenue, Suite A
~~Klamath Falls, OR~~
St. Helens, OR 97051

State of Oregon, County of Klamath
Recorded 06/06/05 3:14 Pm
Vol M05 Pg 41905-913
Linda Smith, County Clerk
Fee \$ 101.00 # of Pgs 9

SEND TAX STATEMENTS TO:

Larry D. Olson
445 Port Avenue, Suite A
~~Klamath Falls, OR~~
St. Helens, OR 97051

WARRANTY DEED
(Doak Mountain - Klamath County)

BC TIMBER PROPERTIES, INC., a Delaware corporation ("Grantor"), conveys and warrants to LARRY D. OLSON, an unmarried person ("Grantee"), certain real property located in Klamath County, Oregon, which is more particularly described on Exhibit 1 attached hereto and incorporated herein by reference, free of encumbrances except as specifically set forth on Exhibit 2 attached hereto and incorporated herein by reference.

The true and actual consideration for this transfer is \$7,000,000.00.

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.

Dated as of the 21st day of May 2005.

BC TIMBER PROPERTIES, INC,
a Delaware corporation

By: Martin Lugus
Martin Lugus, Authorized Representative

6/10

41906

STATE OF OREGON)
) ss.
COUNTY OF KLAMATH)

This instrument was acknowledged before me on July 26, 2005 by
Martin Lugas as Authorized Representative of BC TIMBER PROPERTIES, INC.



Catherine Gray

NOTARY PUBLIC FOR OREGON

My commission expires: July 6, 2008

EXHIBIT 1**Legal Description of Property in Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon:**SECTION 35: GOVERNMENT LOTS 2 AND 3; SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 36: GOVERNMENT LOT 6; S $\frac{1}{2}$ SW $\frac{1}{4}$ **Legal Description of Property in Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon:**SECTION 1: NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ SECTION 2: GOVERNMENT LOTS 1, 2, 3 AND 4; NE $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SECTION 3: GOVERNMENT LOT 1; NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; S $\frac{1}{2}$; EAST 60 FEET OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$;**EXCEPTING THEREFROM THE FOLLOWING:**

BEGINNING AT THE NORTHEAST CORNER OF SAID S $\frac{1}{2}$ NW $\frac{1}{4}$;
 THENCE WEST ALONG THE NORTH LINE OF SAID S $\frac{1}{2}$ NW $\frac{1}{4}$
 TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH
 ALONG THE WEST LINE OF SAID S $\frac{1}{2}$ NW $\frac{1}{4}$ TO THE
 SOUTHWEST CORNER THEREOF; THENCE NORTHEASTERLY
 ALONG A STRAIGHT LINE TO THE POINT OF BEGINNING

AND FURTHER EXCEPTING THEREFROM THE FOLLOWING:

A PARCEL OF LAND SITUATED IN THE N $\frac{1}{2}$ OF THE N $\frac{1}{2}$ OF
 SECTION 3, BEING MORE PARTICULARLY DESCRIBED AS
 FOLLOWS:

BEGINNING AT A POINT WHICH BEARS NORTH 89° 10' 48"
 WEST 60.00 FEET FROM THE N $\frac{1}{4}$ CORNER OF SAID
 SECTION 3; THENCE SOUTH 01° 12' 43" EAST 699.28 FEET TO
 THE NORTH LINE OF EAGLE RIDGE ROAD; THENCE ALONG
 THE NORTH LINE OF EAGLE RIDGE ROAD 152.28 FEET
 ALONG THE ARC OF A 307.03 FEET RADIUS CURVE TO THE
 LEFT, THE LONG CHORD OF WHICH BEARS NORTH
 43° 46' 29" EAST 150.73 FEET AND HAVING A DELTA ANGLE

OF 28° 25' 04"; THENCE 307.71 FEET ALONG THE ARC OF A 480.00 FOOT RADIUS CURVE TO THE RIGHT, THE LONG CHORD OF WHICH BEARS NORTH 47° 55' 52" EAST 302.47 FEET AND HAVING A DELTA ANGLE OF 36° 43' 51"; THENCE 64.33 FEET ALONG THE ARC OF A 110.00 RADIUS CURVE TO THE RIGHT, THE LONG CHORD OF WHICH BEARS NORTH 83° 03' 05" EAST 63.42 FEET AND HAVING A DELTA ANGLE OF 33° 30' 36"; THENCE LEAVING THE NORTH LINE OF EAGLE RIDGE ROAD NORTH 00° 09' 31" EAST 374.12 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 3; THENCE ALONG THE NORTH LINE OF SAID SECTION 3 AT A BEARING OF NORTH 89° 10' 48" WEST 407.63 FEET TO THE POINT OF BEGINNING; WITH BEARINGS BASED ON COUNTY SURVEY 6076.

- SECTION 4: THAT PORTION OF GOVERNMENT LOT 6 AND THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ LYING EASTERLY OF A STRAIGHT LINE EXTENDING SOUTHWESTERLY FROM THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 6 TO THE SOUTHWEST CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$
- SECTION 9: THAT PORTION OF THE E $\frac{1}{2}$ E $\frac{1}{2}$ LYING NORTHERLY OF THAT PORTION DESCRIBED IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, RECORDED SEPTEMBER 22, 2003 IN VOLUME M03, PAGE 70477, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON
- SECTION 10: THAT PORTION LYING NORTHERLY OF THAT PORTION DESCRIBED IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, RECORDED SEPTEMBER 22, 2003 IN VOLUME M03, PAGE 70477, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON
- SECTION 11: N $\frac{1}{2}$; SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$
- SECTION 12: ALL
- SECTION 13: ALL
- SECTION 14: NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; THAT PORTION OF SW $\frac{1}{4}$ SW $\frac{1}{4}$ LYING NORTHERLY OF THAT PORTION DESCRIBED IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS

DEPARTMENT OF TRANSPORTATION, RECORDED
 SEPTEMBER 22, 2003 IN VOLUME M03, PAGE 70477,
 MICROFILM RECORDS OF KLAMATH COUNTY, OREGON;
 SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

- SECTION 15: THAT PORTION LYING NORTHERLY OF THAT PORTION DESCRIBED IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, RECORDED SEPTEMBER 22, 2003 IN VOLUME M03, PAGE 70477, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON
- SECTION 23: THAT PORTION LYING NORTHERLY OF THAT PORTION DESCRIBED IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, RECORDED SEPTEMBER 22, 2003 IN VOLUME M03, PAGE 70477, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON
- SECTION 24: GOVERNMENT LOTS 1, 2, 3, 4 AND 5; E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ W $\frac{1}{2}$
- SECTION 25: THAT PORTION OF GOVERNMENT LOTS 1 AND 2 AND NW $\frac{1}{4}$ NW $\frac{1}{4}$ LYING NORTHERLY OF THAT PORTION DESCRIBED IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, RECORDED SEPTEMBER 22, 2003 IN VOLUME M03, PAGE 70477, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON
- SECTION 26: THAT PORTION OF NE $\frac{1}{4}$ NE $\frac{1}{4}$ LYING NORTHERLY OF THAT PORTION DESCRIBED IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, RECORDED SEPTEMBER 22, 2003 IN VOLUME M03, PAGE 70477, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON

Legal Description of Property in Township 37 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon:

- SECTION 6: GOVERNMENT LOTS 3 AND 4; SW $\frac{1}{4}$ SW $\frac{1}{4}$
- SECTION 7: GOVERNMENT LOTS 1 AND 2; W $\frac{1}{2}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$
- SECTION 8: GOVERNMENT LOTS 1, 2 AND 3; SW $\frac{1}{4}$ SW $\frac{1}{4}$; LESS PORTIONS SOUTH OF MEAN HIGH WATER LINE OF UPPER KLAMATH LAKE AND LESS TRACT DESCRIBED IN VOLUME M96,

PAGE 25715, MICROFILM RECORDS OF KLAMATH COUNTY,
OREGON

SECTION 17: A PORTION OF GOVERNMENT LOTS 1 AND 2 LESS PORTIONS
SOUTH OF MEAN HIGH WATER LINE OF UPPER KLAMATH
LAKE AND LESS TRACT DESCRIBED IN VOLUME M96,
PAGE 25715, MICROFILM RECORDS OF KLAMATH COUNTY,
OREGON

SECTION 18: GOVERNMENT LOTS 1, 2, 3 AND 4 LYING NORTH OF MEAN
HIGH WATER LINE OF UPPER KLAMATH LAKE; NW $\frac{1}{4}$ SW $\frac{1}{4}$;
S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ N $\frac{1}{2}$

SECTION 19: GOVERNMENT LOT 1

EXHIBIT 2**Permitted Encumbrances**

1. Taxes for the fiscal year 2005-2006.
2. Additional tax, plus interest and penalty, if any, if the property described herein is disqualified for special assessment as Forest Land.
3. The rights of the public and of governmental bodies in and to that portion of the herein described premises now or at anytime lying below the high water mark of the Klamath Lake, 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.
4. Any claim based on any prohibition of or limitation on the use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any waters which may cover the land for fishing or navigation, or to use any portion of the land which is now or may formerly have been covered by water.
5. The rights of the public in and to any portion of the herein described 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.
6. Reservations and restrictions as contained in Warranty Deed, and the terms and provisions thereof, recorded April 29, 1907 in Book 22, page 401, Deed Records of Klamath County, Oregon.
7. Reservations and restrictions as contained in Quitclaim Deed, and the terms and provisions thereof, recorded May 9, 1907 in Book 22, page 430, Deed Records of Klamath County, Oregon.
8. Reservation of interest in and rights to oils, gas and minerals as set forth in deed, and the terms and provisions thereof, recorded December 30, 1927 in Book 79, page 282, Deed Records of Klamath County, Oregon; Statement of Claim, and the terms and provisions thereof, recorded August 5, 1986 in Volume M86, page 13766, Microfilm Records of Klamath County, Oregon.
9. Right, privilege and easement of regulating and controlling the waters, shores and beds of Upper Klamath Lake and the streams flowing into and out of said lake, granted to The California Oregon Power Company by Indenture, including the terms and provisions thereof, dated September 15, 1937 and recorded October 1, 1937 in Volume 112, Page 233, Deed Records of Klamath County, Oregon.

10. Right, privilege and easement of regulating and controlling the waters, shores and beds of Upper Klamath Lake and the streams flowing into and out of said lake, granted to The California Oregon Power Company by Indenture, including the terms and provisions thereof, dated July 1, 1941 and recorded October 16, 1941 in Volume 141, Page 619, Deed Records of Klamath County, Oregon.
11. Limited access provisions in Deed to the State of Oregon, by and through its State Highway Commission, and the terms and provision thereof, recorded October 3, 1951 in Volume 250, page 175, Deed Records of Klamath County, Oregon.
12. Easement for various purposes, created by instrument, including the terms and provisions thereof, recorded August 24, 1956 in Volume 286, Page 190, Deed Records of Klamath County, Oregon.
13. Easement for electric power service and roadway, created by instrument, including the terms and provisions thereof, recorded June 29, 1964 in Volume 354, Page 184, Deed Records of Klamath County, Oregon.
14. Road Use Easement dated May 6, 1965, for road purposes and installation of utilities, granted to Charles A. Curtiss, Doris Quist Curtiss and Marjorie N. Lamoreaux, including the terms and provisions thereof, recorded May 7, 1965 in Volume 361, Page 284, Deed Records of Klamath County, Oregon.
15. Easement Agreement dated May 7, 1965 between Weyerhaeuser Company, Charles A. Curtiss, Doris Quist Curtiss and Marjorie N. Lamoreaux, recorded May 11, 1965 in Volume 361, Page 337, Deed Records of Klamath County, Oregon.
16. Road Use Easement dated May 17, 1966, granted to Charles A. Curtiss and Doris Quist Curtiss, including the terms and provisions thereof, recorded June 13, 1966 in Volume M66, Page 6097, Microfilm Records of Klamath County, Oregon.
17. Right of Way Easement dated September 28, 1966, granted to Klamath County, including the terms and provisions thereof, recorded December 14, 1966 in Volume M66, Page 12443, Microfilm Records of Klamath County, Oregon.
18. Submerged and Submersible Land Lease by and between the State of Oregon, acting by and through the Division of State Lands, and APG Co., including the terms and provisions thereof, recorded January 17, 1978 in Volume M78, Page 1081, Microfilm Records of Klamath County, Oregon, as amended by instruments, including the terms and provisions thereof, recorded April 26, 1984 in Volume M84, Page 6859; April 26, 1984 in Volume M84, Page 6863; and August 23, 1989 in Volume M89, Page 15748, said records.
19. Easement Exchange by and between Weyerhaeuser Company and Gienger Enterprises, Inc., including the terms and provisions thereof, dated September 24,

1979 and recorded November 29, 1979 in Volume M79, Page 27697, Microfilm Records of Klamath County, Oregon.

20. Easement for roadway dated December 18, 1985, granted to Jeld-Wen, Inc., including the terms and provisions thereof, recorded January 10, 1986 in Volume M86, Page 560, Microfilm Records of Klamath County, Oregon, as supplemented by instruments dated January 23, 1996, including the terms and provisions thereof, recorded on March 1, 1996 in Volume M96, Page 5753; and on May 16, 1996 in Volume M96, Page 14259, said records.
21. Reservations as contained in Deed, including the terms and provisions thereof, recorded August 30, 1996 in Volume M96, Page 26858, Microfilm Records of Klamath County, Oregon.
22. Agreement for Easement by and between U.S. Timberlands Klamath Falls, L.L.C. and The Nature Conservancy, including the terms and provisions thereof, dated April 3, 1997 and recorded April 4, 1997 in Volume M97, Page 10045, Microfilm Records of Klamath County, Oregon.
23. Limited access provisions in Deed to the State of Oregon, by and through its State Highway Commission, and the terms and provision thereof, recorded September 22, 2003 in Volume M03, page 70477, Microfilm Records of Klamath County, Oregon.