

MTCT 76897

When recorded, return to: Weyerhaeuser Company  
Land Title Dept CH 1 F 23  
PO Box 9777  
Federal Way WA 98063-9777

2007-011638  
Klamath County, Oregon



06/28/2007 11:42:31 AM

Fee: \$51.00

Send Tax Statements to: Robert Christiansen  
1792 Houston Rd.  
Phoenix OR 97535

Map No. 36S-14E-34

TAX ACCOUNT NO.	KEY NO.	CODE NO.
3614-03400-00200-000	364992	058
3614-03400-00300-000	365018	113
3614-034DB-01800-000	365143	058
3614-034DB-00100-000	365054	058

**WARRANTY DEED**

The GRANTOR, **WEYERHAEUSER COMPANY**, a Washington corporation, for valuable consideration, receipt of which is hereby acknowledged, conveys and warrants to **ROBERT CHRISTIANSEN**, GRANTEE, the real estate situated in **KLAMATH COUNTY, OREGON** described on **EXHIBIT A** attached hereto and by this reference made a part hereof, subject to the encumbrances of title and reservations of Grantor as set forth on said Exhibit A.

The true and actual consideration for this transfer is: \$81,000.00.

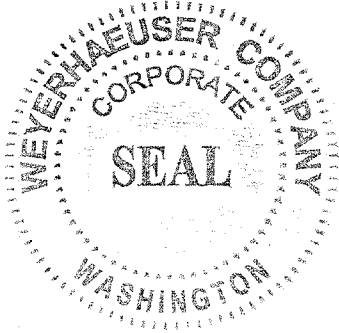
*Grantee or anyone claiming by, through or under Grantee, hereby fully and irrevocably releases Grantor, and its agents and representatives, from any and all claims that it may now have or hereafter acquire against Grantor or its agents or representatives for any cost, loss, liability, damage, expense, action or cause of action, whether foreseen or unforeseen, arising from or related to any defects, errors or omissions on or in the Property, the presence of environmentally hazardous, toxic or dangerous substances, or any other conditions (whether patent, latent or otherwise) affecting the Property. Grantee further acknowledges and agrees that this release shall be given full force and effect according to each of its expressed terms and provisions, including, but not limited to, those relating to unknown and suspected claims, damages and causes of action. As a material covenant and condition of this Agreement, Grantee agrees that in the event of any such defects, errors or omissions, the presence of environmentally hazardous, toxic or dangerous substances, or any other conditions affecting the Property, Grantee shall look solely to Grantor's predecessors in interest for any redress or relief, except for claims against Grantor based upon any obligations and liabilities of Grantor expressly provided in this deed.*

*The above provisions are specifically bargained for and represent a material part of Grantor's consideration for this conveyance.*

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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 the 21 day of June, 2007



**WEYERHAEUSER COMPANY,**  
a Washington corporation

By: [Signature]

Title: Sr. Vice President

Attest: [Signature]

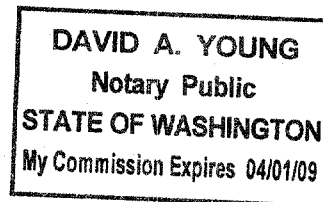
Title: Assistant Secretary

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

Personally appeared before me, the undersigned authority in and for said county and state, on this 21 day of June, 2007, within my jurisdiction, the within named Sandy D McDade and G. W. Bjerke, who acknowledged that they are a Vice President and an Assistant Secretary, respectively, of Weyerhaeuser Company, a Washington corporation, and that for and on behalf of the said corporation, and as its act and deed they executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

David A Young  
Notary Public

My appointment expires: April 1, 2009



## EXHIBIT "A"

### IN KLAMATH COUNTY OREGON:

#### PARCEL 1

All that portion of the following described property lying Easterly of the Easterly line of State Highway also known as the Klamath Falls-Lakeview Highway.

That portion of the SW 1/4 of the NE 1/4 and the E1/2 of the NW 1/4 of Section 34, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the intersection of the Westerly line of the right-of-way of the Oregon California and Eastern Railway and the Southerly line of the said NE 1/4 of said Section 34, which point is 2173 feet West of the East quarter corner thereof, thence North 28° 53' West along the Westerly line of the railway right-of-way 1751 feet to a one inch iron pipe driven in the ground; thence South 69° 46' West 940 feet to an iron pin in a mound of Rock; thence South 20° 6' East in the line of a fence 1318 feet to a fence on the Southerly line of the E1/2 of the NW1/4 of said Section 34; thence North 88° 43' East along the Subdivision line 1283 feet to the point of beginning.

ALSO that portion of the W1/2 of the NE1/4 and NW1/4 of SE1/4 of Section 34, Township 36 South, range 14 East of the Willamette Meridian, Klamath County, Oregon, lying Easterly of the Easterly right of way line of the Oregon, California and Eastern Railroad right of way, EXCEPT THEREFROM those portions described in Deed recorded November 22, 1950 in Deed Volume 243, page 444 to Weyerhaeuser Timber Company and recorded August 5, 1969 in Volume M69, page 6799 to Modoc Lumber Company and those portions described in Deed recorded July 3, 1970 in Volume M70, page 5451, Microfilm Records of Klamath County, Oregon to Weyerhaeuser Company.

#### PARCEL 2

A Parcel of land situate in Section 34, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Commencing at a 2" iron pipe marking the initial point of North Bly, a recorded subdivision in Klamath County; thence North 28° 53'00" West along the Westerly line of the O. C. & E. Railroad right of way ~~2972.35 feet~~ <sup>750 feet, more or less</sup> to a point where said right of way narrows; thence North 88° 37' 04" East 22.56 feet to an old iron pipe, said iron pipe being on the South line of the NE1/4 of said Section 34; thence continuing along said Westerly right of way line North 28° 53' 00" West 1059.33 feet; thence leaving said Westerly right of way line North 61° 07' 00" East 100.00 feet to a point on the Easterly line of said O. C. & E. Railroad right of way, said point being the point of beginning for this description; thence North 28° 53' 00" West along said Easterly right of way line 721.66 feet to a point where said right of way line begins to curve to the left; thence along a spiral curve to the left 182.35 feet (delta = 2° 42'); thence along a 1959.86 feet radius simple curve to the left 754.61 feet (delta = 22° 03' 39"); thence leaving said railroad right of way line North 36° 21' 21" East 141.26 feet; thence South 59° 34' 06" East 1179.31 feet; thence South 11°

35' 35" West 450.00 feet; thence South 31° 20' 20" West 220.38 feet; thence South 14° 29' 40" East 233.62 feet; thence South 66° 27' 35" West 7.82 feet to the point of beginning.

PARCEL 3

That portion of the former Oregon California and Eastern Railway Company right of way in Section 34, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, conveyed by deed recorded July 13, 1992 in Volume M92, page 15208, Microfilm Records of Klamath County, Oregon, lying South of the South line of the NE1/4 NW1/4 of said Section 34.

PARCEL 4

Lot J of North Bly, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

EXCEPTING THEREFROM the North 20 feet thereof deeded to Basil Hall by deed recorded June 11, 1941 in Volume 138, page 430, Deed Records of Klamath County, Oregon.

AND EXCEPTING THEREFROM the Westerly 150 feet thereof conveyed to the State of Oregon by and through its State Highway Commission by deed recorded December 11, 1951 in Volume 251, page 475, Deed Records of Klamath County, Oregon.

PARCEL 5

Those portions of the NW1/4 SE1/4 and NE1/4 SW1/4 of Section 34, Township 36 South, Range 14 East of the Willamette Meridian, Klamath County, Oregon, lying between the Klamath Falls-Lakeview Highway and the O.C. and E. Railroad right-of-way North of the Northerly boundary of Lot J, NORTH BLY, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

## **EXHIBIT B**

### **THE FOLLOWING MATTERS AFFECT PARCEL 1:**

1. Terms, provisions and conditions contained in grant of easement:  
Dated: August 16, 1972  
Recorded: August 16, 1972  
Volume: M72, page 9196, Microfilm Records of Klamath County, Oregon  
Re-recorded: January 30, 1973  
Volume: M73, page 1106, Microfilm Records of Klamath County, Oregon  
From: Ruth E. Hall  
To: Weyerhaeuser Company  
For: Drainage purposes
2. An easement created by instrument, subject to the terms and provisions thereof,  
Dated: August 16, 1972  
Recorded: August 16, 1972  
Volume: M72, page 9196, Microfilm Records of Klamath County, Oregon  
Re-recorded: January 30, 1973  
Volume: M73, page 1103, Microfilm Records of Klamath County, Oregon  
In favor of: Ruth E. Hall  
For: Ingress and egress  
(Affects the North 12 feet and a strip of land 12 feet in width in a Southerly portion)
3. Letter disclosing the existence of an approved, closed woodwaste landfill:  
Dated: January 6, 1993  
Recorded: January 12, 1993  
Volume: M93, page 875, Microfilm Records of Klamath County, Oregon  
(Affects that portion of Parcel 1 lying between the Klamath Falls-Lakeview Highway and the former O. C. & E. Railroad right of way and other property also)

### **THE FOLLOWING MATTER AFFECTS PARCEL 3:**

4. Easement for existing public utilities in street area, if any, and the conditions imposed thereby.  
Order of Vacation Recorded: January 30, 1964  
Volume: 350, page 626, Deed Records of Klamath County, Oregon  
(Affects a Southerly portion of Parcel 3 and other property)
5. The legal description contained in this commitment is based on information provided with the application for title insurance and the public records as defined in the policy to issue. The parties to the forthcoming transaction must notify the title insurance company prior to closing if the legal description does not conform to their expectations.

**THE FOLLOWING MATTERS AFFECT PARCEL 4:**

6. Reservations, restrictions and easements as contained in plat dedication, to wit:

"Dedicated, donate and convey unto the public use forever, the streets and alleys shown, reserving to ourselves, successors and assigns the right to construct, operate and maintain ditches and conduits for the conveyance of irrigation and domestic water across or along said streets and alleys."

7. Reservations contained in Deed to the State of Oregon;

Recorded: December 11, 1957

Volume: 251, page 475, Deed Records of Klamath County, Oregon

As follows:

"There is reserved the right to use and maintain the Grantors existing private electric powerline."

8. An easement created by instrument, subject to the terms and provisions thereof,

Recorded: September 26, 1974

Volume: M74, page 12646, Microfilm Records of Klamath County, Oregon

In favor of: Bly Sanitary District

For: Installation, replacement and repair of and maintenance of a sewer line

(Affects the Southerly 20 feet of the Westerly 150 feet and the Easterly 8 feet of the Westerly 160 feet of Lot J lying parallel and contiguous with the Easterly boundary of that portion of Lot J owned by the Oregon State Highway Department)

**THE FOLLOWING MATTERS AFFECT PARCEL 5:**

9. An easement created by instrument, subject to the terms and provisions thereof,

Dated: February 1, 1977

Recorded: March 7, 1977

Volume: M77, page 3871, Microfilm Records of Klamath County, Oregon

In favor of: Pacific Power & Light Company

For: Electric transmission line

(Affects a strip of land 10 feet wide in the NW1/4 SE1/4)