

2007-016875

Klamath County, Oregon



00032172200700168750060069

09/26/2007 03:21:19 PM

Fee: \$46.00

RECORDING COVER SHEET

ORS: 205.234

This cover sheet has been prepared by the persons presenting the attached instrument for recording.
Any errors in this cover sheet DO NOT affect the transaction(s) contained in the instrument itself.

After recording, return to:

US Fish & Wildlife
2800 Cottage Way, W-1832
Sacramento, CA 95825

The date of the instrument attached is N/A

1) NAME(S) OF THE INSTRUMENT(S), required by ORS 205.234(a)

Warranty Deed

2) PARTY(IES)/GRANTOR, required by ORS 205.125(1)(b) and ORS 205.160

The Nature Conservancy

3) PARTY(IES)/GRANTEE, required by ORS 205.125(1)(b) and ORS 205.160

USA

4) TRUE and ACTUAL CONSIDERATION (if any), required by ORS 93.030

\$ 3,159,599.00

5) FULL OR PARTIAL SATISFACTION ORDER or WARRANT FILED IN THE
COUNTY CLERK'S LIEN RECORDS, required by ORS 205.121(1)(c)

N/A

6) RE-RECORDED TO CORRECT

Re-recorded to correct legal description
on 2007-013257.

F-46



00027791200700132570030034

07/26/2007 11:43:05 AM

Fee: \$31.00

RECORDING REQUESTED BY AND WHEN RECORDED
MAIL TO: Stephen M. Dyer
U.S. Fish and Wildlife Service
California/Nevada Realty Office
2800 Cottage Way, W-1832
Sacramento, California 95825

1st-1044082

WARRANTY DEED

THE NATURE CONSERVANCY, a District of Columbia non-profit corporation, whose address is 4245 N. Fairfax Drive, Arlington, VA 22203 ("Grantor"), for and in consideration of the sum of Three Million One Hundred Fifty-nine Thousand Five Hundred Ninety-nine and no/100 Dollars (\$3,159,599.00), lawful money of the United States to us in hand paid by the UNITED STATES OF AMERICA, the receipt whereof is hereby acknowledged, does by these presents convey and warrant unto the UNITED STATES OF AMERICA, and its assigns (hereinafter "Grantee"), the fee simple interest in all that certain real property situate and lying in the County of Klamath, State of Oregon, containing 1,257.03 acres, more or less, being more particularly described as follows:

U.S. TRACT (11b): Parcel 3 of Land Partition 71-06, situated in Sections 29, 30, 31, and 32, Township 34 South, Range 7½ East, of the Willamette Meridian, and in the North ½ of Section 5 and the North ½ of Section 6, Township 35 South, Range 7½ East, W.M., Klamath County, Oregon containing 1,257.03 acres, more or less. *★ See new legal description attached*

Tax Parcel Number: R77892 and R77776

TOGETHER WITH:

1. All water and water rights, including without limitation all appropriative, overlying, groundwater and riparian rights appurtenant to the property described herein, springs, wells, stock water, ditches, ditch rights-of-way, and other water rights applied for, adjudicated, appropriated, decreed, vested or appurtenant to the above described lands.
2. All and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining; all the estate, title, dower, right of homestead, claim or demand whatsoever of the grantor, and any buildings and improvements thereon and all rights and appurtenances thereto.
3. Grantor's right title and interest in and to all minerals, oil, gas and other hydrocarbons appurtenant to said property.
4. All rights, title and interest of the Grantors in and to any alleys, streets, ways, strips or gores abutting or adjoining the lands.

SUBJECT TO THE FOLLOWING:

1. Existing easements, restrictions, and other matters of record and rights of way, of record or in use, for roads, pipelines, ditches, conduits, telephone and electrical transmission lines, on, over and across said premises; and
2. Existing estates, interests and rights in and to coal, oil, gas and any and all other minerals, reserved to or outstanding in third parties; and

TO HAVE AND TO HOLD, the above granted and described premises, with all and singular the rights and appurtenances thereto in any way belonging unto the UNITED STATES OF AMERICA and its assigns forever. And the said grantor, for itself, its successors and its assigns, does covenant with the grantee and its assigns, that it is well seized in fee of the lands and premises aforesaid and has good right to sell and convey the same in manner and form aforesaid, and that the same are free from all encumbrances whatsoever.

The herein described land and interest therein is being acquired by the Department of the Interior, through its representative, the United States Fish and Wildlife Service, located at 2800 Cottage Way, W-1832, Sacramento, CA 95825

The true consideration for this conveyance is \$3,159,599.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

IN WITNESS WHEREOF, the grantor has caused this deed to be executed this 9th day of July 2007.

THE NATURE CONSERVANCY,
a District of Columbia non-profit corporation

By: 

Russell Hoeflich, Oregon State Director

ACKNOWLEDGMENT

STATE OF OREGON

COUNTY OF MULTNOMAH

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ss.

The foregoing instrument was acknowledged before me on July 9, 2007, by
RUSSELL HOEFLICH, the Oregon State Director of The Nature Conservancy, a District of Columbia
non-profit corporation, on behalf of said corporation.



Jana Setzler
Notary Public for Oregon
My Commission Expires: 11-16-08

CERTIFICATE OF ACCEPTANCE

This is to certify that the Secretary of the Interior, acting by and through his authorized representative, the
Realty Officer, U.S. Fish and Wildlife Service, hereby accepts on behalf of the United States of America,
the real property described within the Warranty Deed and consents to the recordation of this document as
noted by the authorized official signature below.

July 19, 2007
Date

[Signature]
Realty Officer
U.S. Fish and Wildlife Service

RECORDING REQUESTED BY AND WHEN RECORDED
MAIL TO: Stephen M. Dyer
U.S. Fish and Wildlife Service
California/Nevada Realty Office
2800 Cottage Way, W-1832
Sacramento, California 95825

**CORRECTIVE DEED
(Legal Description)**

THIS DEED hereby corrects the legal description in that certain deed executed by and between THE NATURE CONSERVANCY, a District of Columbia non-profit corporation, whose address is 4245 N. Fairfax Drive, Arlington, VA 22203 ("Grantor") and the UNITED STATES OF AMERICA on July 19, 2007, and recorded on July 26, 2007, in the office of the recorder of deeds in and for Klamath County, Oregon as Instrument #2007-013257. All other provisions of said deed of July 19, 2007 shall remain in effect. The revised legal description is as follows:

U.S. TRACT (11b): Parcel 3 of Land Partition 71-06, situated in Sections 31 and 32, Township 34 South, Range 7½ East, of the Willamette Meridian, and in the North ½ of Section 5 and the North ½ of Section 6, Township 35 South, Range 7½ East, W.M., Klamath County, Oregon, containing 1,257.03 acres, more or less.

Tax Parcel Number: R77892 and R77776

TO HAVE AND TO HOLD, the above granted and described premises, with all and singular the rights and appurtenances thereto in any way belonging unto the UNITED STATES OF AMERICA and its assigns forever. And the said grantor, for itself, its successors and its assigns, does covenant with the grantee and its assigns, that it is well seized in fee of the lands and premises aforesaid and has good right to sell and convey the same in manner and form aforesaid, and that the same are free from all encumbrances whatsoever.

The herein described land and interest therein is being acquired by the Department of the Interior, through its representative, the United States Fish and Wildlife Service, located at 2800 Cottage Way, W-1832, Sacramento, CA 95825

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

IN WITNESS WHEREOF, the grantor has caused this deed to be executed this 12th day of September 2007.

THE NATURE CONSERVANCY,
a District of Columbia non-profit corporation

By: 

Russell Hoeflich, Oregon State Director

ACKNOWLEDGMENT

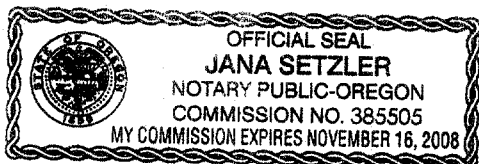
STATE OF OREGON

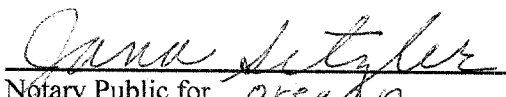
COUNTY OF MULTNOMAH

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ss.

The foregoing instrument was acknowledged before me on Sept. 12, 2007, by
RUSSELL HOEFLICH, the Oregon State Director of The Nature Conservancy, a District of Columbia
non-profit corporation, on behalf of said corporation.

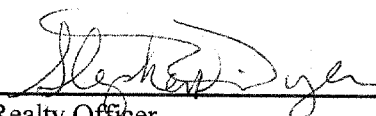



Notary Public for Oregon
My Commission Expires: 11-16-08

CERTIFICATE OF ACCEPTANCE

This is to certify that the Secretary of the Interior, acting by and through his authorized representative, the Realty Officer, U.S. Fish and Wildlife Service, hereby accepts on behalf of the United States of America, the real property described within the Corrective Deed and consents to the recordation of this document as noted by the authorized official signature below.

September 7, 2007
Date


Realty Officer
U.S. Fish and Wildlife Service