

2011-004619

Klamath County, Oregon



00100203201100046190100103

04/11/2011 11:15:54 AM

Fee: \$82.00

MT090219

After recording return to:  
Oregon Department of Forestry  
Attn: Asset Management Section  
2600 State Street  
Salem, OR 97310

Send tax statements to:

Oregon Department of Forestry  
Attn: Asset Management Section  
2600 State Street  
Salem, OR 97310

### **SPECIAL WARRANTY DEED FOR PROPERTY LINE ADJUSTMENT**

CASCADE TIMBERLANDS (OREGON), LLC, a Delaware limited liability company ("Grantor"), conveys and specially warrants to the STATE OF OREGON, acting through the Oregon Board of Forestry on behalf of the Oregon Department of Forestry ("Grantee"), the real property located in Klamath County, Oregon described on the attached Exhibit A, free of encumbrances created or suffered by Grantor, except as set forth in the attached Exhibit D.

The purpose of this Bargain and Sale Deed for Property Line Adjustment is to effectuate the property line adjustment approved by the Klamath County Planning Director under PLA 2-11, and dated March 17, 2011. The legal descriptions of adjusted Property #1 and Property #2 are attached as Exhibit B-1 and B-2, and a depiction of the adjusted tracts is attached as Exhibit C.

In compliance with ORS 92.190(4), reference is made to original recorded document number Vol. M05, pg. 00374-403, whereby Grantor acquired right, title and interest in the real property.

The true consideration for this conveyance is \$41,040.

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY

82 HMT

THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009

Date: April 6, 2011

CASCADE TIMBERLANDS (OREGON), LLC, a  
Delaware limited liability company

By: CASCADE TIMBERLANDS, LLC, a  
Delaware limited liability company  
Its: Sole Member

By: Gregory S. Lane  
Name: Gregory S. Lane  
Title: Executive VP

STATE OF Montana )  
County of Flathead ) ss.

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of April \_\_, 2011, by Gregory S. Lane, as Executive Vice President of Cascaded Timberlands, LLC, as the Sole Member of Cascade Timberlands (Oregon), LLC, a Delaware limited liability company, on behalf of the company.

Sarah Bell  
Notary Public for Whitefish Montana  
My commission expires: March 31, 2013  
Commission No.: \_\_\_\_\_



SARAH BELL  
NOTARY PUBLIC-MONTANA  
Residing at Whitefish, Montana  
My Comm. Expires March 31, 2013

CERTIFICATE OF APPROVAL OF CONVEYANCE  
(ORS 93.808)

THE STATE OF OREGON, acting by and through the Oregon Board of Forestry on behalf of the Oregon Department of Forestry hereby approves and accepts, pursuant to ORS 93.808, the conveyance by special warranty deed from Cascade Timberlands (Oregon) LLC, a Delaware limited liability company, to the State of Oregon of the real property described in the deed to which this Certificate is attached.

DATED this 8<sup>th</sup> day of April, 2011.

State of Oregon, acting by and through the Oregon  
Board of Forestry on behalf of  
the Oregon Department of Forestry

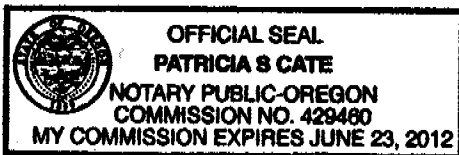
By: \_\_\_\_\_

Name: Doug Decker

Title: State Forester

STATE OF OREGON     )  
                                  ) ss.  
County of Marion     )

This instrument was acknowledged before me on this 8<sup>th</sup> day of April \_\_, 2011, by  
Doug Decker as the State Forester and authorized  
representative of the Oregon Department of Forestry, acting under authority granted to him/her  
by the Oregon Board of Forestry.



Patricia S. Cate

Notary Public for Oregon

My Commission expires: 6/23/12

**EXHIBIT 'A'**  
**LEGAL DESCRIPTION FOR**  
**KLAMATH COUNTY PROPERTY LINE ADJUSTMENT NO. 2-11**  
**TRANSFER PROPERTY**

A TRACT OF LAND LOCATED IN THE SOUTH HALF (S 1/2) OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 08 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

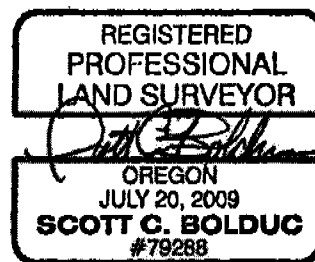
THAT PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4), THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) AND THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 1, LYING EASTERLY OF THE WESTERLY RIGHT OF WAY LINE FOR U.S. HIGHWAY 97 AS SHOWN ON OREGON STATE HIGHWAY DEPARTMENT DRAWING NO. 7B-8-13 (REVISED JUNE, 1974), TITLED "LOCATED LINE / CRESCENT - ODELL JC. SECTION / THE DALLES - CALIFORNIA HIGHWAY" (SUBJECT TO AN EXISTING RIGHT OF WAY EASEMENT FOR SAID U.S. HIGHWAY 97).

EXCEPTING THEREFROM "PARCEL 2", AS DESCRIBED IN THAT WARRANTY DEED RECORDED IN VOLUME 2007, PAGE 012059, OFFICIAL RECORDS OF KLAMATH COUNTY, OREGON, AS FOLLOWS:

*A PARCEL OF LAND SITUATE IN THE SW 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, SAID POINT BEING SOUTH 89°43'48" EAST, 512.00 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 1 AND MARKED BY A MONUMENT AS CORNER 1 OF TRACT 0102; THENCE NORTH 0°16'12" EAST, 40.00 FEET TO A MONUMENT (CORNER 2 OF TRACT 0102); THENCE SOUTH 89°43'48" EAST, 260.00 FEET TO A MONUMENT (CORNER 3 OF TRACT 0102); THENCE SOUTH 0°16'12" WEST, 40.00 FEET TO A MONUMENT ON THE SOUTH LINE OF SAID SECTION 1 BEING CORNER 4 OF TRACT 0102; THENCE NORTH 89°43'49" WEST, 260.00 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.*

HEREIN DESCRIBED LANDS CONTAINS 120 ACRES, MORE OR LESS.



EXPIRES: 12-31-11

**EXHIBIT 'B-1'**  
**LEGAL DESCRIPTION FOR**  
**KLAMATH COUNTY PROPERTY LINE ADJUSTMENT NO. 2-11**  
**ADJUSTED PROPERTY #1**

A TRACT OF LAND LOCATED IN THE SOUTH HALF (S 1/2) OF SECTION 1 AND THE NORTH HALF (N1/2) OF SECTION 12, TOWNSHIP 25 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LANDS DESCRIBED IN THAT SPECIAL WARRANTY DEED RECORDED IN VOLUME 2010, PAGE 008585, OFFICIAL RECORDS OF KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS:

***TOWNSHIP 25 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN***

*THE NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SECTION 12;*

*THE SOUTH ONE HALF (S 1/2) OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SECTION 12;*

*THE SOUTHEAST ONE QUARTER (SE 1/4) OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SECTION 12, LYING EASTERLY OF THE WESTERLY RIGHT OF WAY LINE FOR U.S. HIGHWAY 97 (SUBJECT TO AN EXISTING RIGHT OF WAY EASEMENT FOR U.S. HIGHWAY 97).*

AND

A TRACT OF LAND LOCATED IN THE SOUTH HALF (S 1/2) OF SAID SECTION 1, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4), THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) AND THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 1, LYING EASTERLY OF THE WESTERLY RIGHT OF WAY LINE FOR U.S. HIGHWAY 97 AS SHOWN ON OREGON STATE HIGHWAY DEPARTMENT DRAWING NO. 7B-8-13 (REVISED JUNE, 1974), TITLED "LOCATED LINE / CRESCENT - ODELL JC. SECTION / THE DALLIES - CALIFORNIA HIGHWAY" (SUBJECT TO AN EXISTING RIGHT OF WAY EASEMENT FOR SAID HIGHWAY 97).

EXCEPTING THEREFROM "PARCEL 2", AS DESCRIBED IN THAT WARRANTY DEED RECORDED IN VOLUME 2007, PAGE 012059, OFFICIAL RECORDS OF KLAMATH COUNTY, OREGON, AS FOLLOWS:

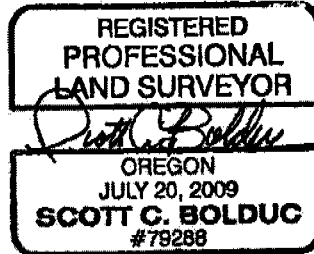
*A PARCEL OF LAND SITUATE IN THE SW 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

*BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, SAID POINT BEING SOUTH 89°43'48" EAST, 512.00 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 1 AND MARKED BY A MONUMENT AS CORNER 1 OF TRACT 0102; THENCE NORTH 0°16'12" EAST, 40.00 FEET TO A MONUMENT (CORNER 2 OF TRACT 0102); THENCE SOUTH 89°43'48" EAST, 260.00 FEET TO A MONUMENT*

(DESCRIPTION CONTINUED ON PAGE 2)

(CORNER 3 OF TRACT 0102); THENCE SOUTH 0°16'12" WEST, 40.00 FEET TO A MONUMENT ON THE SOUTH LINE OF SAID SECTION 1 BEING CORNER 4 OF TRACT 0102; THENCE NORTH 89°43'49" WEST, 260.00 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.

HEREIN DESCRIBED LANDS CONTAINS 263 ACRES, MORE OR LESS.



EXPIRES: 12-31-11

**EXHIBIT 'B-2'**  
**LEGAL DESCRIPTION FOR**  
**KLAMATH COUNTY PROPERTY LINE ADJUSTMENT NO. 2-11**  
**ADJUSTED PROPERTY #2**

A TRACT OF LAND LOCATED IN SECTION 1, TOWNSHIP 25 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF GOVERNMENT LOTS 3, 4, 6 AND 7; THE SOUTH HALF OF THE NORTHWEST QUARTER (S 1/2, NW 1/4); THE EAST HALF OF THE SOUTHWEST QUARTER (E 1/2, SW 1/4); THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4, SE 1/4) AND THE WEST HALF OF THE SOUTHEAST QUARTER (W 1/2, SE 1/4), SECTION 1, TOWNSHIP 25 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN;

EXCEPTING THEREFROM "PARCEL 2", AS DESCRIBED IN THAT WARRANTY DEED RECORDED IN VOLUME 2007, PAGE 012059, OFFICIAL RECORDS OF KLAMATH COUNTY, OREGON, AS FOLLOWS:

*A PARCEL OF LAND SITUATE IN THE SW 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:*

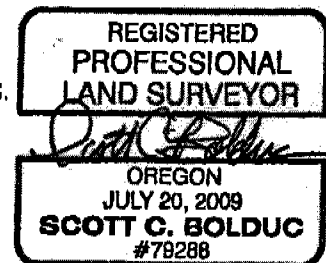
*BEGINNING AT A POINT ON THE SOUTH LINE OF SECTION 1, TOWNSHIP 25 SOUTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, SAID POINT BEING SOUTH 89°43'48" EAST, 512.00 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 1 AND MARKED BY A MONUMENT AS CORNER 1 OF TRACT 0102; THENCE NORTH 0°16'12" EAST, 40.00 FEET TO A MONUMENT (CORNER 2 OF TRACT 0102); THENCE SOUTH 89°43'48" EAST, 260.00 FEET TO A MONUMENT (CORNER 3 OF TRACT 0102); THENCE SOUTH 0°16'12" WEST, 40.00 FEET TO A MONUMENT ON THE SOUTH LINE OF SAID SECTION 1 BEING CORNER 4 OF TRACT 0102; THENCE NORTH 89°43'49" WEST, 260.00 FEET ALONG THE SECTION LINE TO THE POINT OF BEGINNING.*

**ALSO EXCEPTING THEREFROM**

A TRACT OF LAND LOCATED IN THE SOUTH HALF (S 1/2) OF SAID SECTION 1, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4), THE SOUTH HALF (S 1/2) OF THE SOUTHEAST QUARTER (SE 1/4) AND THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 1, LYING EASTERLY OF THE WESTERLY RIGHT OF WAY LINE FOR U.S. HIGHWAY 97 AS SHOWN ON OREGON STATE HIGHWAY DEPARTMENT DRAWING NO. 7B-8-13 (REVISED JUNE, 1974), TITLED "LOCATED LINE / CRESCENT - ODELL JC. SECTION / THE DALLES - CALIFORNIA HIGHWAY".

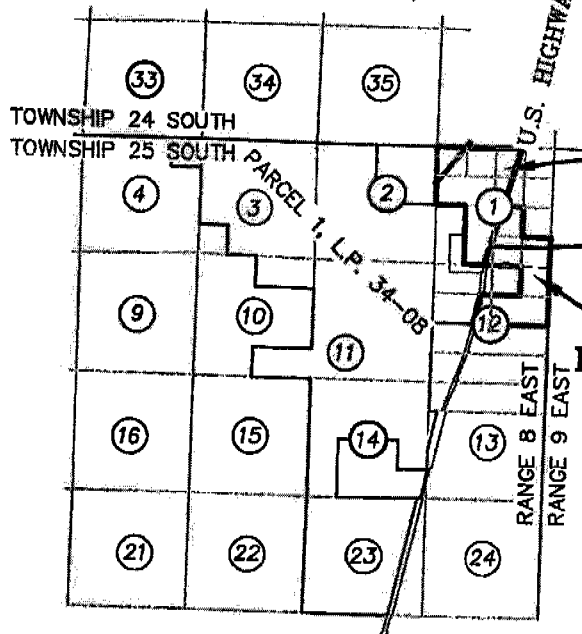
HEREIN DESCRIBED LANDS CONTAINS 281 ACRES, MORE OR LESS.



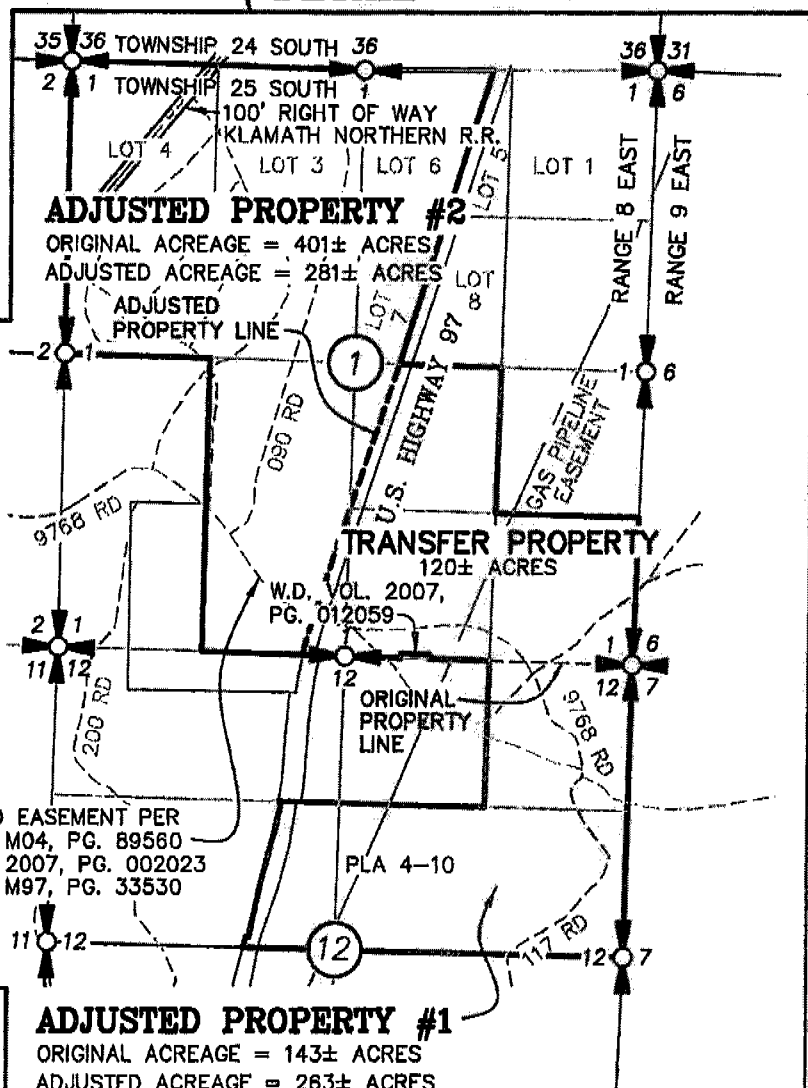
EXPIRES: 12-31-11

# OVERVIEW MAP

(NOT TO SCALE)



**DETAIL** SCALE: 1"=1600'



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Scott C. Bolduc*

OREGON  
JULY 20, 2009  
SCOTT C. BOLDUC  
79288

RENEWAL DATE: 12-31-11

SHEET NUMBER

1

## EXHIBIT C

EXHIBIT MAP TO ACCOMPANY LEGAL DESCRIPTION  
KLAMATH COUNTY PLA NO. 2-11  
SEC. 1, T. 25 S., R. 8 E., W.M.

DRAWING INFO

035617

PROPOSED PLA 2011B.DWG

SHEET INFO

DRAWN BCB

CHECKED DRW

LAST EDIT 3/31/2011

PLOT DATE 3/31/2011

**WHPacific**



## EXHIBIT D

### SPECIAL EXCEPTIONS

1. Taxes for the fiscal year 2009-2010, partially paid.

Account No:	2508-00100-00102-000	Key No:	885548
Original Amount:	\$197.97	Code No:	051
Unpaid Balance:	\$131.98 plus interest		
2. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Forest Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied; in addition thereto a penalty may be levied if notice of disqualification is not timely given.
3. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
4. Right of Way Easement created by instrument, subject to the terms and provisions thereof,

Recorded:	October 5, 1929
Volume:	88, page 120, Deed Records of Klamath County, Oregon
In favor of:	The Pacific Telephone and Telegraph Company
(Affects Township 23 South, Range 9/Township 24 South, Range 9/Township 25 South, Range 8)	

Consent Agreement, subject to the terms and provisions thereof;

Recorded:	June 21, 1973
Volume:	M73, page 7852, Microfilm Records of Klamath County, Oregon
(Affects Fee and Timber Rights Parcels)	
5. Memorandum, subject to the terms and provisions thereof;

Recorded:	May 31, 1967
Volume:	330, page 67, Deed Records of Klamath County, Oregon
Between:	The United States of America and Pacific Gas Transmission Company
For:	Pipeline
Affects:	Township 24 South, Range 9, Sections 3, 10, 11 and 31 / Township 25 South, Range 8
6. Highway Easement Deed, subject to the terms and provisions thereof;

Dated:	July 2, 1975
Recorded:	August 4, 1975
Volume:	M75, page 9003, Microfilm Records of Klamath County, Oregon
Grantor:	United States of America acting by and through the Department of Transportation, Federal Highway Administration
Grantee:	State of Oregon, by and through its Department of Transportation Highway Division

(Affects Township 23 South, Range 9 East of the Willamette Meridian, Section 24 Township 24 South, Range 9 East of the Willamette Meridian, Sections 3, 8, 17 Township 25 South, Range 8 East of the Willamette Meridian, Sections 1, 12, 13)

Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provided that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.

Recorded: February 13, 1986

Volume: M86, page 2688, Microfilm Records of Klamath County, Oregon  
(Affects Fee and Timber Rights Parcels)

7. Easement, subject to the terms and provisions thereof;

Recorded: June 12, 1991

Volume: M91, page 11081, Microfilm Records of Klamath County, Oregon

In favor of: The United States of America

For: Road use

(Affects Township 24 South, Range 8 / Township 24 South, Range 9 / Township 25 South, Range 10 Township 25 South, Range 8 / Township 25 South, Range 9 / Township 24 South, Range 10)

Termination of Segments of an Easement, subject to the terms and provisions thereof;

Recorded: September 2, 1993

Volume: M93, page 22399, Microfilm Records of Klamath County, Oregon  
(Affects Fee and Timber Rights Parcels)

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

Dated: December 8, 2003

Recorded: January 12, 2004

Volume: M04, page 01374, Microfilm Records of Klamath County, Oregon

In favor of: Michael A. Hardie and Carol L. Hardie and Ira H. Hill and Betty J. Hill

For: Ingress and egress

Affects: Township 25 South, Range 8 East, Sections 1, 2 and 11

9. Declaration of Access Easement created by instrument, subject to the terms and provisions thereof,

Dated: December 20, 2004

Recorded: December 0, 2004

Volume: M04, page 89560, Microfilm Records of Klamath County, Oregon

For: Access, ingress and egress to through and from properties