

WTC 90705

2011-008345

Klamath County, Oregon



00104762201100083450060060

07/18/2011 09:34:37 AM

Fee: \$62.00

**After Recording Return To:**

The Conservation Fund  
1655 N. Fort Myer Dr., Suite 1300  
Arlington, VA 22209  
Attn: Paul F. Hurt, Esq.

Until a change is requested  
all tax statements shall be sent to:  
(same)

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**STATUTORY SPECIAL WARRANTY DEED**

**Cascade Timberlands (Oregon), LLC**, a Delaware limited liability company ("Grantor"), hereby conveys and specially warrants to **The Conservation Fund**, a Maryland non-profit corporation ("Grantee"), the real property described in the attached Exhibit A, located in Klamath County, Oregon (the "Property"), free of encumbrances created or suffered by Grantor, except as set forth in the attached Exhibit B.

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 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.

The true and actual consideration for this conveyance is \$1,955,294.00.

Signatures on Next Page

WTC 90705

DATED: July 12, 2011

GRANTOR:

Cascade Timberlands (Oregon), LLC,  
a Delaware limited liability company

By: Cascade Timberlands, LLC,  
A Delaware limited liability company,  
Its sole member

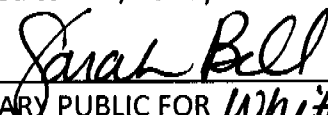
By: 

Name: Gregory S. Lane

As: Executive Vice President

STATE OF Montana )  
County of Flathead ) ss

This instrument was acknowledged before me on July, 12, 2011, by Gregory S. Lane, as Executive Vice President of Cascade Timberlands, LLC, as sole member of Cascade Timberlands (Oregon), LLC, acting under authority granted to him/her by the company.

  
NOTARY PUBLIC FOR Whitefish, MT  
My Commission Expires: March 31, 2013



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

**EXHIBIT A**  
**Legal Description**

A tract of land lying in Sections 14, 17, 23, 26, 27, 28, 29, 32, 33, 34 and 35 Township 24 South, Range 10 East; Sections 1, 2, 3, 4, 5, 11 and 12, Township 25 South, Range 10 East; Sections 18 and 35, Township 24 South, Range 11 East; and Section 6, Township 25 South, Range 11 East, Willamette Meridian, Klamath County, Oregon,  
Described as follows:

**Township 24 South, Range 10 East, Willamette Meridian**

The Southwest one quarter (SW 1/4) of the Southeast one quarter (SE 1/4) of Section 14;

The South one half (S 1/2) of the Northwest one quarter (NW 1/4) of the Northeast one quarter (NE 1/4) of Section 17;

The Southwest one quarter (SW 1/4) of the Northeast one quarter (NE 1/4) of Section 17;  
The East one half (E 1/2) of the Northwest one quarter (NW 1/4) of Section 17;

The Southeast one quarter (SE 1/4) of the Northwest one quarter (NW 1/4) of Section 23;  
The West one half (W 1/2) of the Northeast one quarter (NE 1/4) of Section 23;  
The West one half (W 1/2) of the Southeast one quarter (SE 1/4) of Section 23;  
The East one half (E 1/2) of the Southwest one quarter (SW 1/4) of Section 23;

The Northwest one quarter (NW 1/4) of the Northeast one quarter (NE 1/4) of Section 26;  
The West one half (W 1/2) of Section 26;

The East one half (E 1/2) of Section 27;  
The East one half (E 1/2) of the West one half (W 1/2) of Section 27;  
The Southwest one quarter (SW 1/4) of the Southwest one quarter (SW 1/4) of Section 27;

The West one half (W 1/2) of the Northeast one quarter (NE 1/4) of Section 28;  
The South one half (S 1/2) of Section 28;

The East one half (E 1/2) of Section 29;  
The Southeast one quarter (SE 1/4) of the Southwest one quarter (SW 1/4) of Section 29;

The Northeast one quarter (NE 1/4) of Section 32;  
The South one half (S 1/2) of the Northwest one quarter (NW 1/4) of Section 32;  
The East one half (E 1/2) of the Southeast one quarter (SE 1/4) of Section 32;

All of Section 33;

All of Section 34;

The West one half (W 1/2) of the West one half (W 1/2) of Section 35;  
The Northeast one quarter (NE 1/4) of the Northwest one quarter (NW 1/4) of Section 35;

The East one half (E 1/2) of the Southwest one quarter (SW 1/4) of Section 35;  
The Southwest one quarter SW 1/4 of the Southeast one quarter (SE 1/4) of Section 35;

**Township 25 South, Range 10 East, Willamette Meridian**

The East one half (E 1/2) of the Southeast one quarter (SE 1/4) of Section 2;

Government Lots 1 and 4 of Section 3;

The South one half (S 1/2) of the Northwest one quarter (NW 1/4) of Section 3;

The Southwest one quarter (SW 1/4) of Section 3;

Government Lots 1, 2 and 3 of Section 4;

The Southeast one quarter (SE 1/4) of the Northeast one quarter (NE 1/4) of Section 4;

The East one half (E 1/2) of the Southeast one quarter (SE 1/4) of Section 4;

The Southwest one quarter (SW 1/4) of Section 4;

Government Lot 2 of Section 5;

The South one half (S 1/2) of the North one half (N 1/2) of Section 5;

The Northeast one quarter (NE 1/4) of the Northeast one quarter (NE 1/4) of Section 11;

The Northeast one quarter (NE 1/4) of the Southeast one quarter (SE 1/4) of Section 11;

The South one half (S 1/2) of the Southeast one quarter (SE 1/4) of Section 11;

Parcels 1 and 3 of Land Partition 54-04 situated in Sections 1 and 12 of Township 25  
South, Range 10 East of the Willamette Meridian, Klamath County, Oregon

**Township 24 South, Range 11 East, Willamette Meridian**

The portion of the Southeast one quarter (SE1/4) of the Southeast one quarter (SE1/4) of  
Section 18, lying southwesterly of the right of way for Oregon State Highway 31 (Fremont  
Highway);

The North one half (N 1/2) of the Southeast one quarter (SE 1/4) of Section 35 (subject to  
an existing right of way for Oregon State Highway 31 (Fremont Highway);

**Township 25 South, Range 11 East, Willamette Meridian**

Government Lot 14 of Section 6;

**EXHIBIT B**  
**Encumbrances**

1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm 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.
2. Agreement for rights of way, subject to the terms and provisions thereof;

Dated: October 11, 1943  
Recorded: October 25, 1943  
Volume: 159, page 300, Microfilm Records of Klamath County, Oregon  
Between: Gilchrist Timber Company and The Shevlin-Hixon Company  
Blanket description

Assignment, subject to the terms and provisions thereof;

Volume: 245, page 590, Deed Records of Klamath County, Oregon  
Assignor: Shevlin-Hixon Company  
Assignee: Brooks-Scanlon, Inc.

Consent and Subordination Agreement, subject to the terms and provisions thereof;

Dated: March 28, 1972  
Recorded: March 31, 1972  
Volume: M72, page 3363, Microfilm Records of Klamath County, Oregon

Consent and Subordination Agreement, subject to the terms and provisions thereof;

Dated: February 6, 1979  
Recorded: March 14, 1979  
Volume: M79, page 6707, Microfilm Records of Klamath County, Oregon

Assignment and Agreement, subject to the terms and provisions thereof;

Recorded: February 9, 1987  
Volume: M87, page 2089, Microfilm Records of Klamath County, Oregon  
Assignor: Diamond International Corporation  
Assignee: Diamond Group, Inc.

Assignment, Acceptance and Assumption, subject to the terms and provisions thereof;

Recorded: April 8, 1988  
Volume: M88, page 5056, Microfilm Records of Klamath County, Oregon  
(Affects several parcels)

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

Recorded: February 18, 1981  
Volume: M81, page 2763, Microfilm Records of Klamath County, Oregon  
In favor of: The United States of America  
Affects: Township 24 South, Range 10, / Township 24 South, Range 8, /  
Township 25 South, Range 9, / Township 25 South, Range 8, /  
Township 25 South, Range 10, / Township 24 South, Range 9, /  
Township 23 South, Range 9,  
For: Roads  
(Affects Fee and Timber Rights Parcels)

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

Dated: January 26, 1981  
Recorded: August 21, 1981  
Volume: M81, page 14934, Microfilm Records of Klamath County, Oregon  
Grantor: United States of America, acting by and through the Forest Service,  
Department of Agriculture  
Grantee: Gilchrist Timber Company  
For: Perpetual Easement for Road  
Affects: Township 24 South, Range 9; Township 24 South, Range 10  
(Affects Fee and Timber Rights Parcels)

5. 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)

6. Declaration of Access Easement, subject to the terms and provisions thereof;

Dated: December 23, 2009  
Recorded: January 28, 2010  
Volume: 2010-001037, Microfilm Records of Klamath County, Oregon  
By: Cascade Timberlands (Oregon) LLC  
For: Access