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2011-010924
Klamath County, Oregon



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09/30/2011 09:09:33 AM

Fee: \$132.00

After recording return to (and until a change is requested all tax statements shall be sent to):

RLF Klamath Properties, LLC
619 North Cascade Ave., Suite 200
Colorado Springs, CO 80903

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made effective as of September 29, 2011, by and between JELD-WEN, inc., a corporation with its headquarters at 3250 Lakeport Blvd., Klamath Falls, Oregon 97601 ("**Grantor**"), and RLF Klamath Properties, LLC, a Colorado limited liability company, whose address is 619 N Cascade Avenue, Suite 200 Colorado Springs, CO 80903 ("**Grantee**").

WITNESS, that Grantor, for and in consideration of the sum of Ten and no/100ths Dollars, (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, and conveys unto Grantee and its successors and assigns forever, all that real property located in Klamath County, Oregon, legally described on **Exhibit A** attached hereto and incorporated herein by this reference (the "Real Property");

TOGETHER with all with all and singular hereditaments and appurtenances thereto belonging, and all of Grantor's rights in all privileges, easements and other interests appurtenant thereto, any and all buildings, fixtures and other improvements located thereon, all timber and timber rights, all minerals, oil, gas, and gravel and other hard rock rights on and under the land; and all water rights, and conservation and mitigation rights.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto Grantee and its successors and assigns forever.

Grantor covenants with the Grantee and its successors and assigns that Grantor is lawfully seized of the premises above described, has good right, full power and lawful authority to convey the same, that the Real Property is free and unencumbered. And Grantor, for itself and its successors and assigns, covenants and agrees that Grantor shall and will warrant and forever defend the above described Real Property in the quiet and peaceable possession of Grantee and its successors and assigns, against the lawful claims of all and every person or persons claiming the whole or any part thereof by, through or under Grantor, subject, however, to those matters set forth on **Exhibit B** attached hereto and incorporated herein by this reference.

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.

Dated this 29th day of September, 2011.

[Signature and notary appear on the following page]

132pmf

JELD-WEN, inc., an Oregon corporation

Name: Jason de Vries

~~Title:~~ Corporate Development Manager

STATE OF OREGON

)

) ss.

COUNTY OF KLAMATH

)

The foregoing instrument was acknowledged before me this 29th day of September, 2011, by Jason de Vries, as Corporate Development Manager of JELD-WEN, inc., an Oregon corporation.

Witness my hand and official seal.

Notary Public

My commission expires: 11/16/2011

[SEAL]



EXHIBIT "A"
LEGAL DESCRIPTION

WHITELINE #2 (Property 100)

Parcel 1:

Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon

- Section 1: Government Lots 1, 2, 3 and 4; S1/2 N1/2; S1/2
Section 2: Government Lots 1, 2, 3 and 4; S1/2 N1/2; S1/2
Section 3: Government Lots 1, 2 and 3; SW1/4 NW1/4; W1/2 SW1/4; SE1/4 SW1/4; S1/2 NE1/4;
SE1/4; Government Lot 4 excepting therefrom the S1/2 N1/2 NE1/4 NW1/4;
N1/2 S1/2 NE1/4 NW1/4; N1/2 SE1/4 NW1/4; N1/2 S1/2 SE1/4 NE1/4 of said Government
Lot 4
Section 4: Government Lots 1, 2, 3 and 4; S1/2 N1/2; N1/2 SW1/4; SE1/4 SW1/4; SE1/4;
SW1/4 SW1/4
Section 5: Government Lots 1, 2, 3 and 4; S1/2 N1/2; S1/2
Section 6: Government Lots 1, 2 and 3; S1/2 NE1/4; N1/2 SE1/4; SE1/4 SE1/4
Section 8: N1/2; SE1/4
Section 9: NE1/4 NW1/4; S1/2 NW1/4; NW1/4 SW1/4; S1/2 SW1/4; E1/2; NW1/4 NW1/4;
NE1/4 SW1/4
Section 10: All
Section 11: All
Section 12: All
Section 13: E1/2 NW1/4; E1/2 SW1/4; NE1/4; W1/2 SE1/4; SE1/4 SE1/4
Section 14: NW1/4; W1/2 NE1/4; SE1/4 NE1/4; N1/2 SE1/4; SW1/4 SE1/4; W1/2 SW1/4;
SE1/4 SW1/4; that portion of the NE1/4 SW1/4 lying northeasterly of Swan Lake Road
Section 15: All
Section 16: All
Section 17: E1/2 E1/2
Section 21: NW1/4 NW1/4; E1/2 NW1/4; NE1/4; NE1/4 SW1/4; SE1/4
Section 22: All
Section 23: All
Section 24: W1/2 NW1/4; SE1/4 NW1/4; NE1/4 NE1/4; S1/2
Section 25: NE1/4 NE1/4
Section 26: N1/2; SW1/4; W1/2 SE1/4; NE1/4 SE1/4
Section 27: All
Section 28: N1/2 NE1/4; SE1/4 NE1/4; NE1/4 SE1/4
Section 34: All
Section 35: W1/2; W1/2 NE1/4; SE1/4; SE1/4 NE1/4
Section 36: SW1/4

Parcel 2:

Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon

- Section 2: Government Lots 3 and 4
Section 3: Government Lots 1 and 2

Parcel 3:

Township 37 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon

- Section 4: SW1/4 NW1/4; W1/2 SE1/4
Section 5: S1/2; S1/2 N1/2
Section 6: Government Lots 2, 3, 4, 5, 6, 7 and 9; SE1/4 NW1/4; S1/2 NE1/4;
E1/2 SW1/4; SE1/4
Section 7: Government Lots 1, 2, 3 and 4; E1/2 W1/2; SE1/4; N1/2 NE1/4;
SW1/4 NE1/4; W1/2 SE1/4 NE1/4
Section 8: NE1/4 excepting the W1/2 W1/2 SW1/4 NE1/4
Section 9: NW1/4
Section 18: Government Lots 1, 2, 3 and 4; E1/2 NW1/4; NE1/4 SW1/4;
W1/2 NW1/4 SE1/4; W1/2 W1/2 NE1/4

(Exhibit "A" Continued)

WHITELINE #1 (Property 200)

Parcel 4:

S1/2 NE1/4; SE1/4 NW1/4; NE1/4 SW1/4; N1/2 SE1/4; S1/2 SE1/4; SE1/4 SW1/4 and Government Lots 3 and 4 of Section 19, Township 37 south, Range 10 east of the Willamette Meridian, Klamath County, Oregon.

S1/2 NW1/4; N1/2 SW1/4 and S1/2 SW1/4 of Section 20, Township 37 south, Range 10 east of the Willamette Meridian, Klamath County, Oregon.

NW1/4; N1/2 SW1/4 of Section 29, Township 37 south, Range 10 east of the Willamette Meridian, Klamath County, Oregon.

Government Lot 1, 2 and 3; NE1/4; E1/2 NW1/4; N1/2 SE1/4 and NE1/4 SW1/4 of Section 30, Township 37 south, Range 10 east of the Willamette Meridian, Klamath County, Oregon.

CHAPMAN SULLIVAN – West (Property 300)

Parcel 5:

Township 37 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon

Section 1: Government Lots 1, 2, 3 and 4; S1/2 N1/2; S1/2
Section 2: Government Lots 1, 2, 3 and 4; S1/2 N1/2; S1/2
Section 3: Government Lots 1, 2, 3 and 4; S1/2 N1/2; E1/2 SW1/4; NE1/4 SE1/4
Section 4: Government Lots 1 and 2
Section 10: NW1/4 NW1/4
Section 11: NE1/4; N1/2 SE1/4; SE1/4 SE1/4; W1/2 SW1/4; NW1/4 NW1/4;
E1/2 NW1/4
Section 12: All
Section 13: N1/2; NE1/4 SW1/4; SE1/4
Section 14: NE1/4 NE1/4
Section 24: E1/2 NE1/4; NE1/4 SE1/4

Parcel 6:

Township 37 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon.

Section 7: All
Section 8: All; EXCEPTING therefrom that portion within the O C & E Railroad right of way
Section 9: E1/2 lying South of Bliss Road (formerly Squaw Flats Road); S1/2NW1/4; SW1/4; EXCEPT that portion lying within the boundaries of the Oregon-California and Eastern Railway Company's right of way; and ALSO EXCEPTING therefrom that portion conveyed to County of Klamath for road purposes as described in Deed dated January 28, 1928 in Book 79 at page 420, Deed Records of Klamath County, Oregon
Section 10: SW1/4 NW1/4; SW1/4; EXCEPTING therefrom that portion conveyed to Leon F. Challis by deed dated October 10, 1944 and recorded October 13, 1944 in Volume 169, page 592, Deed records of Klamath County, Oregon
Section 14: W1/2 W1/2; SE1/4 SW1/4 EXCEPTING therefrom that portion conveyed to Leon F. Challis by deed dated October 10, 1944 and recorded October 13, 1944 in Volume 169, page 592, Deed records of Klamath County, Oregon
Section 15: NW1/4; S1/2; NE1/4; EXCEPTING therefrom that portion conveyed to Leon F. Challis by deed dated October 10, 1944 and recorded October 13, 1944 in Volume 169, page 592, Deed records of Klamath County, Oregon. ALSO EXCEPTING therefrom that portion within the O C & E Railroad right of way
Section 16: All; EXCEPTING therefrom that portion within the O C & E Railroad right of way
Section 17: All
Section 18: All
Section 19: All
Section 20: All
Section 21: All
Section 22: All
Section 23: All of that portion lying Southwest of the Sprague River County Road;

(Exhibit "A" Continued)

Section 26: NE1/4 lying southwest of the Sprague River County Road; W1/2 SE1/4; SW1/4; NW1/4; EXCEPTING therefrom that portion within the O C & E Railroad right of way
Section 27: NW1/4; N1/2 SW1/4; N1/2 SE1/4; NE1/4; EXCEPTING therefrom that portion within the O C & E Railroad right of way
Section 28: N1/2; NW1/4 SW1/4
Section 29: All
Section 30: All

CHAPMAN SULLIVAN – East (Property 400)

Parcel 7:

Township 37 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon

Section 17: W1/2
Section 18: All
Section 19: All
Section 20: W1/2
Section 29: NW1/4; N1/2 SW1/4; SE1/4 SW1/4
Section 30: N1/2; N1/2 SE1/4

Parcel 8:

Township 37 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon.

Section 11: SE1/4 NW1/4; E1/2 SW1/4; S1/2 SE1/4
Section 13: S1/2; NE1/4; E1/2 NW1/4
Section 14: W1/2 W1/2;
Section 23: E1/2 E1/2; W1/2 SE1/4 EXCEPTING therefrom that portion lying Southwesterly of the County Road
Section 24: All
Section 25: N1/2; N1/2 SW1/4; SE1/4 SW1/4; EXCEPTING therefrom that portion of the SW1/4 NW1/4 and the SW1/4 lying Southwesterly of the County Road

HILDEBRAND (Property 500)

Parcel 9:

The NE1/4 SW1/4 and the N1/2 N1/2 NW1/4 SW1/4 of Section 32, Township 37 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 10:

N1/2 SE1/4 of Section 32 Township 37 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

LONG LAKE (Property 600A)

Parcel 11:

Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Section 25: The West 1/2 of the SW1/4

Section 36: Government lots 1, 2, 3 and 4; the SW1/4 of the SE1/4; the NW1/4 of the NW1/4; the South 1/2 of the NW1/4; the SW1/4. EXCEPTING THEREFROM that portion lying within the highway. ALSO EXCEPTING THEREFROM the following described tract of land:
A tract of Land situated in Sections 25 and 36, Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, Section 1, Township 38 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, and Section 6, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the West 1/4 corner of said Section 25; thence South 00° 44' 32" East, along the Section line, 118.05 feet; thence South 49° 22' 41" East 361.49 feet; thence South 47° 44' 12" East 975.72 feet; thence South 48° 52' 17" East 494.19 feet to a point 50.00 feet West of the East line of the West 1/2 SW1/4 of said Section 25; thence South 00° 37' 23" East, parallel to said East line, 1321.50 feet to the South line of said Section 25; thence South 01° 08' 39" West 409.18 feet; thence South 03° 45' 51" East 467.9 feet; thence South 05° 38' 45" East 437.66 feet; thence South 18° 21' 38" East 291.62 feet; thence South 30° 57' 13" East 2238.32 feet;

(Exhibit "A" Continued)

thence South 60° 32' 37" East 918.82 feet; thence South 08° 13' 26" East 398.57 feet; thence South 17° 10' 32" East 2344.00 feet; thence South 30° 55' 21" East 476.40 feet; thence South 07° 14' 33" East 337.65 feet; thence South 03° 10' 08" East 150.16 feet; thence North 74° 27' 41" East 433.52 feet to a point on the Westerly right of way of State Highway #140 at Station 1617+26.64; thence Northerly along said right of way 8500 feet, more or less, to the South line of said Section 25, thence North 89° 38' 19" West 1350 feet, more or less, to the West 1/16 corner common to said Section 25 and 36; thence North 00° 37' 23" West 2621.14 feet; thence North 88° 33' 26" West 1406.56 feet to the point of beginning.

Parcel 12:

Township 38 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Section 1: All EXCEPT a 2.02 acre strip for highway in Government Lot 1

ALSO EXCEPTING THEREFROM the following described tract of land:

A tract of Land situated in Sections 25 and 36, Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, Section 1, Township 38 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, and Section 6, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the West 1/4 corner of said Section 25; thence South 00° 44' 32" East, along the Section line, 118.05 feet; thence South 49° 22' 41" East 361.49 feet; thence South 47° 44' 12" East 975.72 feet; thence South 48° 52' 17" East 494.19 feet to a point 50.00 feet West of the East line of the West 1/2 SW1/4 of said Section 25; thence South 00° 37' 23" East, parallel to said East line, 1321.50 feet to the South line of said Section 25; thence South 01° 08' 39" West 409.18 feet; thence South 03° 45' 51" East 467.9 feet; thence South 05° 38' 45" East 437.66 feet; thence South 18° 21' 38" East 291.62 feet; thence South 30° 57' 13" East 2238.32 feet; thence South 60° 32' 37" East 1918.82 feet; thence South 08° 13' 26" East 398.57 feet; thence South 17° 10' 32" East 2344.00 feet; thence South 30° 55' 21" East 476.40 feet; thence South 07° 14' 33" East 337.65 feet; thence South 03° 10' 08" East 150.16 feet; thence North 74° 27' 41" East 433.52 feet to a point on the Westerly right of way of State Highway #140 at Station 1617+26.64; thence Northerly along said right of way 8500 feet, more or less, to the South line of said Section 25, thence North 89° 38' 19" West 1350 feet, more or less, to the West 1/16 corner common to said Section 25 and 36; thence North 00° 37' 23" West 2621.14 feet; thence North 88° 33' 26" West 1406.56 feet to the point of beginning.

Section 12: All

Section 13: All

Parcel 13:

Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 6: That portion of Government Lot 2 lying West of the East bank of the Caledonia canal

EXCEPTING THEREFROM that portion lying within the highway and

ALSO EXCEPTING THEREFROM the following described tract of land:

A tract of Land situated in Sections 25 and 36, Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, Section 1, Township 38 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, and Section 6, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the West 1/4 corner of said Section 25; thence South 00° 44' 32" East, along the Section line, 118.05 feet; thence South 49° 22' 41" East 361.49 feet; thence South 47° 44' 12" East 975.72 feet; thence South 48° 52' 17" East 494.19 feet to a point 50.00 feet West of the East line of the West 1/2 SW1/4 of said Section 25; thence South 00° 37' 23" East, parallel to said East line, 1321.50 feet to the South line of said Section 25; thence South 01° 08' 39" West 409.18 feet; thence South 03° 45' 51" East 467.9 feet; thence South 05° 38' 45" East 437.66 feet; thence South 18° 21' 38" East 291.62 feet; thence South 30° 57' 13" East 2238.32 feet; thence South 60° 32' 37" East 1918.82 feet; thence South 08° 13' 26" East 398.57 feet; thence South 17° 10' 32" East 2344.00 feet; thence South 30° 55' 21" East 476.40 feet; thence South 07° 14' 33" East 337.65 feet; thence South 03° 10' 08" East 150.16 feet; thence North 74° 27' 41" East 433.52 feet to a point on the Westerly right of way of State Highway #140 at Station 1617+26.64; thence Northerly along said right of way 8500 feet, more or less, to the South line of said Section 25, thence North 89° 38' 19" West 1350 feet, more or less, to the West 1/16 corner common to said Section 25 and 36; thence North 00° 37' 23" West 2621.14 feet; thence North 88° 33' 26" West 1406.56 feet to the point of beginning.

(Exhibit "A" Continued)

The NW1/4 of the SW1/4 lying West of the East Bank of the Canal.
EXCEPTING THEREFROM that portion lying within the highway

The SW1/4 of the SW1/4

Section 7: The NW1/4 of the NW1/4; the SW1/4 of the NW1/4; Government Lots 6 and 7

EXCEPTING THEREFROM the following described tracts of land:

A part of the SW1/4 of NW1/4 of Section 7, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the SE corner of said SW1/4 of NW1/4 and which is South 89° 10' East 1356.3 feet from the West 1/4 corner of said Section 7; thence along the East line of said SW1/4 of NW1/4 North 0° 56' East 668.0 feet, more or less, to the Easterly boundary line of the Rock Creek Highway, as located on April 27, 1942; thence Southwesterly along said boundary line to the South line of said SW1/4 of NW1/4 to a point which is South 89° 10' East 952.0 feet from the West 1/4 corner of said Section; thence along said South line South 89° 10' East 404.30 feet, more or less, to the point of beginning.

A part of Lot 6 of Section 7, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at the intersection of the Easterly boundary line of the Rock Creek Highway, as located on April 27, 1942, with the North boundary line of said Lot 6, which point is South 89° 10' East 952.0 feet from the West 1/4 corner of said Section 7; thence along said North boundary line South 89° 10' East 1022.85 feet, more or less to the East line of said Lot 6; thence Southwesterly along the East boundary line of said Lot South 22° 42' West 663.82 feet; thence South 31° 15' West 598.25 feet; thence South 46° 18' West 371.4 feet, more or less, to the South boundary line of said Lot; thence along said South boundary line North 89° 10' West 510.4 feet, more or less, to a point which is South 89° 10' East 660.0 feet from the Southwest corner of said Lot 6; thence North 0° 16' East 973.0 feet, more or less, to the Easterly boundary line of said Rock Creek Highway; thence Northeasterly along said Easterly boundary line to its intersection with the North boundary line of said Lot 6 to the point of beginning.

A part of Lot 7 of Section 7, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point on the North boundary line of said Lot 7, which is South 89° 10' East 660.0 feet from the Northwest corner of said Lot; thence along said North boundary line South 89° 10' East 510.4 feet, more or less, to the East line of said Lot 7; thence along the East line of said Lot South 46° 18' West 561.67 feet; thence North 14° 58' West 403.90 feet, more or less, to the point of beginning.

Section 18: Government Lots 1, 2 and 3; the SW1/4 of the SE1/4; the East 1/2 of the SW1/4; the West 1/2 of the West 1/2.

Section 19: Government Lots 1, 2, 3, 4 and 5; the NE1/4; the NE1/4 of the SE1/4

Section 20: Government Lots 1, 2, 3, 4 and 5; the SW1/4 of the SW1/4.

Section 28: Government Lot 1; the SW1/4 of the SE1/4; the SW1/4.

Section 29: Government Lots 1, 2, 3 and 4; the South 1/2 of the NE1/4; the NW1/4 of the NE1/4; the East 1/2 of the NW1/4; the NW1/4 of the NW1/4; the North 1/2 of the SE1/4; the SE1/4 of the SE1/4.

Section 30: Government Lot 1

Section 32: Government Lot 1

Section 33: The East 1/2; the East 1/2 of the NW1/4; the NW1/4 of the NW1/4.

Section 34: The West 1/2 of the SW1/4.

Parcel 14:

Township 39 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

Section 3: The West 1/2 of the NW1/4.

Section 4: The NE1/4 of the NE1/4.

D G SWIFT (Property 600B)

Parcel 15:

The S1/2 NW1/4; N1/2 SW1/4; SE1/4 SW1/4 and the SW1/4 SE1/4 of Section 31, Township 36 South, Range 7 East (West of the lake) of the Willamette Meridian, Klamath County, Oregon.

Parcel 16:

The SW1/4 SW1/4 of Section 31, Township 36 South, Range 7 East (West of the lake) of the Willamette Meridian, Klamath County, Oregon.

Parcel 17:

The N1/2 SW1/4 and the SE1/4 of Section 36, Township 36 South, Range 6 East of the Willamette Meridian, Klamath County, Oregon.

ELLINGSON (Property 600C)

Parcel 18:

Government Lot 1, Section 1, Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

Parcel 19:

Government Lots 1 and 2; and the NW1/4 of the SW1/4 of Section 6, Township 37 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

ELLINGSON 8 (Property 700)

Parcel 20:

Parcel 2 of Land Partition 27-08, situated in the SE1/4 of Section 20, Township 34 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, as duly recorded on April 22, 2009 in 2009-005564, Microfilm Records of Klamath County, Oregon.

ELLINGSON 6 (Property 800)

Parcel 21:

The SE1/4 of Section 14, Township 35, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

EXHIBIT "B"
PERMITTED EXCEPTIONS

THE FOLLOWING AFFECT WHITELINE #2 (Property 100)

1. Taxes for the fiscal year 2011-2012, a lien not yet due and payable.
2. 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.
3. 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.
4. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
5. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing Fire Patrol.
6. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
7. Reservations and Restrictions as contained in Deed, subject to the terms and provisions thereof, recorded July 6, 1916 in Book 32, page 131, Deed Records of Klamath County, Oregon. (Affects W1/2 SW1/4, S1/2 NW1/4 Section 18, Township 37, Range 10)
8. Reservations and Restrictions as contained in Deed, subject to the terms and provisions thereof, recorded January 15, 1912 in Book 32, page 168, Deed Records of Klamath County, Oregon. (Affects S1/2 NW1/4, NW1/4 NW1/4 Section 24, NE1/4 NE1/4 Section 23, Township 37, Range 9)
9. Reservations and Restrictions as contained in Deed, subject to the terms and provisions thereof, recorded November 18, 1912 in Book 32, page 298, Deed Records of Klamath County, Oregon. (Affects the W1/2 SW1/4, NE1/4 SW1/4, Section 7, NW1/4 NW1/4 Section 18, Township 37, Range 10)
10. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 6, 1935
Recorded: January 25, 1936
Volume: M105, page 578, Microfilm Records of Klamath County, Oregon
In favor of: Algoma Lumber Company
11. Transmission Line Easement and Access Road Easement, subject to the terms and provisions thereof;
Dated: June 18, 1952
Recorded: July 11, 1952
Volume: 255, page 571, Deed Records of Klamath County, Oregon
In favor of: United States of America~
For: A perpetual easement and right to enter and erect, operate, maintain, repair, rebuild, and patrol one or more electric power transmission lines and appurtenant signal lines, poles, towers, wires, cables, and appliances necessary in connection therewith.
12. An easement created by instrument, subject to the terms and provisions thereof,
Dated: August 7, 1952
Recorded: February 16, 1953
Volume: 259, page 225, Deed Records of Klamath County, Oregon
In favor of: United States of America
For: 14 foot right of way
(Affects Government Lots 2 and 3, NW1/4 SE1/4 Section 6, Township 37, Range 9)

(Permitted Exceptions Continued)

13. Reservation of Mineral Rights, subject to the terms and provisions thereof;
Dated: February 1, 1957
Recorded: April 15, 1957
Volume: 291, page 214, Deed Records of Klamath County, Oregon
(Affects a portion of Townships 37 and 38, Range 9 and Township 37, Range 10)
14. Reservations, restrictions and easements as contained in Patent;
Volume: 355, page 1, Deed Records of Klamath County, Oregon
Affects: 3709, Section 1
15. Reservation, restrictions and easement as contained in Deed from the State Land Board, State of Oregon, recorded May 25, 1965 in Volume 362, page 9, Deed Records of Klamath County, Oregon.
Affects: 3709-15 and 23
16. An easement created by instrument, subject to the terms and provisions thereof.
Dated: April 17, 1967
Recorded: April 27, 1967
Volume: M67, page 3116, Microfilm Records of Klamath County, Oregon
Re-recorded: May 5, 1967
Volume: M67, page 3396, Microfilm records of Klamath County, Oregon
In favor of: Pacific Power and Light Company
For: Electric transmission line
Affects: Across S1/2 NW1/4 and SW1/4 Section 5 and other property
17. Reservations, restrictions, and easements as contained in Deed to Philip A. Bartley recorded October 27, 1970 in Volume M70, page 9603, Microfilm Records of Klamath County, Oregon, including but not limited to the following:

"Reserving unto the Seller, an easement and right of way for installation of roadways, electric and telephone poles, lines and other appurtenances, in, on, over, under and across a strip of land 30 feet wide, lying parallel and adjacent to each outside boundary, of said property. Subject to all roadways and easements apparent on the land.
18. An easement created by instrument, subject to the terms and provisions thereof,
Dated: February 8, 1971
Recorded: February 23, 1971
Volume: M71, page 1543, Microfilm Records of Klamath County, Oregon
In favor of: Weyerhaeuser Company
For: Right of way
Affects: 3709-11 and 14
19. Reservations as contained in Warranty Deed, subject to the terms and provisions thereof;
Dated: April 21, 1969
Recorded: May 10, 1972
Volume: M72, page 4980, Microfilm Records of Klamath County, Oregon
Grantor: Charles Farnham
Grantee: Dennis Karle
To wit:

"Reserving unto the Seller an easement and right of way, for installation of roadways, electric and telephone poles, lines and other utilities and appurtenances, in, on, over, under and across, a strip of land 30 feet wide, lying parallel and adjacent to each outside boundary, of said property."
20. Reserving an easement and right of way, for installation of roadways, electric and telephone poles, lines and other utilities and appurtenances, in, on, over, under and across, a strip of land 30 feet wide, lying parallel and adjacent to each outside boundary, of said property, as disclosed by instrument recorded May 2, 1972, in Volume M72, page 4987, Film Records of Klamath County, Oregon.
21. Reserving an easement and right of way, for installation of roadways, electric and telephone poles, lines and other utilities and appurtenances, in, on, over, under and across, a strip of land 30 feet wide, lying parallel and adjacent to each outside boundary, of said property.

As set out in instrument recorded May 25, 1972 in Volume M72, page 5561, Film Records of Klamath County, Oregon.

22. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 21, 1972
Recorded: March 6, 1973
Volume: M73, page 2357, Microfilm Records of Klamath County, Oregon
In favor of: United States of America
For: Roadway
(Affects a portion of Section 6, Township 37, Range 9)
23. Easement Exchange, subject to the terms and provisions thereof,
Dated: December 31, 1976
Recorded: January 13, 1977
Volume: M77, page 695, Microfilm Records of Klamath County, Oregon
By and Between: Weyerhaeuser Company and Jeld-Wen, inc.
(Affects a portion of Sections 9 and 10, Township 37, Range 9)
24. An easement created by instrument, subject to the terms and provisions thereof,
Dated: June 12, 1980
Recorded: July 11, 1980
Volume: M80, page 12836, Microfilm Records of Klamath County, Oregon
In favor of: United States of America
For: Roadway
(Affects N1/2 Government Lot 3, Section 6, Township 37, Range 10)
25. An easement as set out in Warranty Deed in which Jespersen-Edgewood, Inc., an Oregon corporation conveys to Michael C. Matwich, et ux in Deed Volume M81 page 15614, Microfilm Records of Klamath County, Oregon as follows:
- An easement for use of the domestic water well which provides water for the residence as well as a right of ingress and egress for necessary repair. Repair and maintenance of the pump and well to be the sole responsibility of Grantee. The said domestic water well located on the S1/4 NE1/4, Section 18, Township 37 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon.
26. Road Use Agreement subject to the terms and provisions thereof;
Dated: September 9, 1983
Recorded: December 4, 1984
Volume: M84, page 20324, Microfilm Records of Klamath County, Oregon
27. Reservations in Bargain and Sale Deed, subject to the terms and provisions thereof, recorded January 9, 1992 in Volume M92, page 455, as follows:
- "EXCEPTING from said conveyance all ores, base and precious metals, coal, oil, gas, other liquid or gaseous hydrocarbons, minerals, and mineral bearing substances of every kind and character, hereinafter referred to as "Mineral Interests," now known to exist or hereafter discovered in the Property, but not including common rock, sand, gravel, cinders, or clay commonly used for road construction purposes; and SUBJECT TO use of the surface and subsurface of the Property by owners of such mineral interest in connection with exploration for, extraction, treatment, development, and disposition of such mineral interest."
28. Reservations as contained in Deed, subject to the terms and provisions thereof;
Dated: August 27, 1996
Recorded: August 30, 1996
Volume: M96, page 26858, Microfilm Records of Klamath County, Oregon
Grantor: Weyerhaeuser Company
Grantee: U.S. Timberlands Klamath Falls, L.L.C.
29. Reservations as contained in Patent recorded in Volume M98, page 1322, Microfilm Records of Klamath County, Oregon.
30. Agreement for easement and to supply water, subject to the terms and provisions thereof;
Dated: October 12, 1992
Recorded: October 13, 1992
Volume: M92, page 23934, Microfilm Records of Klamath County, Oregon

THE FOLLOWING AFFECT WHITELINE #1 (Property 200)

31. Taxes for the fiscal year 2011-2012, a lien not yet due and payable.

(Permitted Exceptions Continued)

32. 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.
33. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
34. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing Fire Patrol.
35. Grant of Right of Way, subject to the terms and provisions thereof,
Dated: October 19, 1964
Recorded: November 12, 1964
Volume: 357, page 410, Microfilm Records of Klamath County, Oregon
In favor of: Pacific Power and Light Company
For: Electric transmission and distribution line
(Affects S 1/2 of NW 1/4 Section 30)
36. Road Use Agreement subject to the terms and provisions thereof;
Dated: September 9, 1983
Recorded: December 4, 1984
Volume: M84, page 20324, Microfilm Records of Klamath County, Oregon
(Affects NW 1/4 SW 1/4 Section 30)

THE FOLLOWING AFFECT CHAPMAN SULLIVAN - WEST (Property 300)

37. Taxes for the fiscal year 2011-2012, a lien not yet due and payable.
38. 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.
39. 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.
40. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
41. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing Fire Patrol.
42. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
43. Reservations, including the terms and provisions thereof, contain in Patents from the United States of America recorded October 5, 1880 in Volume 1, page 303; recorded January 23, 1882 in Volume 1, page 406; recorded May 11, 1908 in Volume 24, page 181; recorded January 14, 1909 in Volume 25, page 409 and recorded August 7 1909 in Volume 27, page 284 all in Deed Records of Klamath County, Oregon.
44. Reservations, including the terms and provisions thereof, contained in Patents from the United States of America recorded August 6, 1906 in Volume 20, page 488 in Deed Records of Klamath County, Oregon.
45. Reservations, restrictions and easements as contained in Deed from State of Oregon, to Emile Egert, recorded May 20, 1910 in Volume 29, page 211, Deed Records of Klamath County, Oregon.
Affects: NW1/4 NW1/4 Section 16, Township 37 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon.

(Permitted Exceptions Continued)

46. Reservations, restrictions and easements as contained in Deed from Charles Horton to Robert E. Strahorn, recorded August 22, 1919 in Volume 47, page 614, Deed Records of Klamath County, Oregon.
Affects a portion of Section 15, Section 22 and Section 26, Township 37 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon.
47. Right, title and interest of Emile Egert in and to E1/2 SE1/4 and SE1/4 NE1/4 of Section 8, Township 37 South, Range 11 1/2 East as disclosed by that certain patent to Archibald Y. Tindall, recorded in Book 32, page 410, Deed Records of Klamath County Oregon which recites in part: The E1/2 SE1/4 and the SE1/4 NE1/4 of Section 8, Township 37 South, Range 11 1/2 East of the Willamette Meridian are subject to all rights under an application by Emile Egert, approved September 2, 1905 under the Act of March 3, 1981, being an application for a reservoir site."
48. Grant of Right of Way, including the terms and provisions thereof, recorded January 30, 1928 in Volume 79, page 420, Deed Records of Klamath County, Oregon, in favor of County of Klamath for public road purposes.
Affects: SW1/4 NW1/4 of Section 9, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
49. Reservation of 1/16 of oil and mineral rights as set forth in Deed from Ludwig Sterzl to A. Ralph Gray and Julia H. Gray, recorded August 9, 1928 in Volume 82, page 122, Deed Records of Klamath County, Oregon.
Affects: A portion of Sections 22 and 27, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
50. Reservations, restrictions and easements as contained in Deed from Imogene C. Hampton to George Loe, Isaac Loe and James Loe, recorded October 22, 1930 in Volume 84, page 481, Deed Records of Klamath County, Oregon.
Affects: Portions of Sections 9, 10, 15 and 16, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
51. Reservations, restrictions and easements as contained in Deed from A. Ralph Gray, et ux to Elizabeth J. Gimpl, recorded February 13, 1929 in Volume 85, page 307, Deed Records of Klamath County, Oregon.
Affects: Portions of Sections 21, 22, 27 and 28 in Township 37 South, Range 11 1/2 East of the Willamette Meridian.
52. Reservations, restrictions and easements as contained in Deed from J.J. Steiger, et ux to Isaac Loe, et al, recorded in Volume 87, page 582, Deed Records of Klamath County, Oregon.
Affects: W1/2 SW1/4 Section 9, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
53. Reservations, restrictions and easements as contained in Deed from the First National Bank and Trust Company to Isaac Loe, James Loe and George Loe, recorded October 2, 1929 in Volume 88, page 105, Deed Records of Klamath County, Oregon.
Affects: Portions of Sections 7, 8 and 19, Township 37 South, Range 11 1/2 East of the Willamette Meridian, Klamath County, Oregon.)
54. Reservations, restrictions and easements as contained in Deed from Big Lakes Box Company to Isaac Loe, et al, recorded December 6, 1929 in Volume 88, page 347, Deed Records of Klamath County, Oregon.
Affects: Portions of Sections 8 and 9, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
55. Reservations, restrictions and easements as contained in Deed from Oregon California & Eastern Railway Company to Isaac Loe, recorded September 22, 1930 in Volume 93, page 56, Deed Records of Klamath County, Oregon.
Affects: Portions of Sections 21, 22, 26, 27, 15 and 16, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
56. Reservations, restrictions and easements as contained in Deed from Isaac Loe to George Loe, et al, recorded September 22, 1930 in Volume 93, page 58, Deed Records of Klamath County, Oregon.
Affects: Portions of Sections 15, 16, 21, 22, 26 and 27, Township 37 South, Range 11 1/2 East of the Willamette Meridian.

(Permitted Exceptions Continued)

57. Right of Way Deed, subject to the terms and provisions thereof;
Recorded: October 25, 1930
Volume: 93 page 167, Deed Records of Klamath County, Oregon
In favor of: Oregon California & Eastern Railway Company
Affects: E1/2 NE1/4 Section 8, SW1/4 NW1/4 Section 9, W1/2 SW1/4 Section 9, SE1/4 NE1/4 Section 16, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
58. Right of Way Deed, subject to the terms and provisions thereof;
Dated: October 20, 1930
Recorded: October 25, 1930
Volume: 93 page 168, Deed Records of Klamath County, Oregon
In favor of: Oregon California & Eastern Railway Company
Affects: SE1/4 SW1/4 Section 16, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
59. Reservations, restrictions and easements as contained in Deed from Ewauna Box Company to Emile Egert, recorded April 20, 1932 in Volume 97, page 303, Deed Records of Klamath County, Oregon.
Affects: N1/2 NE1/4 and SW1/4 NE1/4 of Section 17, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
60. Reservations, restrictions and easements as contained in Deed from Imogene Robb Davis et vir to George Loe, et al recorded July 19, 1933 in Volume 101, page 267, Deed Records of Klamath County, Oregon.
Affects: Section 21 and 28 in Township 37 South, Range 11 1/2 East of the Willamette Meridian.
61. Reservations, restrictions and easements as contained in Deed from Isaac Loe and George Loe to Charles C. Crawford, recorded October 23, 1933 in Volume 101, page 554, Deed Records of Klamath County, Oregon.
Affects: Sections 7, 8, 10, 15, 16, 18, 20, 21, 22, 23, 26, 27, 28 and 29, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
62. Right of Way Agreement, including the terms and provisions thereof;
Dated: March 10, 1960
Recorded: June 23, 1960
Volume: 322, page 219, Deed Records of Klamath County, Oregon
In favor of: Pacific Gas Transmission Company
Affects: Sections 9, 10, 14, 15, 16, 22, 23 and 26 in Township 37 South, Range 11 1/2 East of the Willamette Meridian.
- Notice of Location recorded September 21, 1961 in Volume 332, page 358, Deed Records of Klamath County, Oregon.
63. Road Easement, subject to the terms and provisions thereof, dated March 17, 1960 and recorded April 21, 1960 in Volume 320, page 424, Deed Records of Klamath County, Oregon, in favor of United States of America.
Affects: Sections 12, 13 and 24, Township 37 South, Range 10 East of the Willamette Meridian and Sections 7, 16, 17, 18, 20, 21, 22, 27, 29 and 30, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
64. Reciprocal Easement Agreement, subject to the terms and provisions thereof, dated February 23, 1984 and recorded March 12, 1984 in Volume M84, page 3901, Microfilm Records of Klamath County, Oregon, between Dorothy Chapman Stewart and David H. Brenda and Ann E. Brenda, husband and wife.
65. An easement created by instrument, subject to the terms and provisions thereof,
Dated: June 18, 1985
Recorded: July 15, 1985
Volume: M85, page 11106, Microfilm Records of Klamath County, Oregon
In favor of: Oregon California and Eastern Railway Company, an Oregon corporation
For: 33-foot wide road
Affects: Sections 22 and 27 in Township 37 South, Range 11 1/2 East of the Willamette Meridian

(Permitted Exceptions Continued)

66. An easement created by instrument, subject to the terms and provisions thereof,
Dated: January 8, 1986
Recorded: January 10, 1986
Volume: M86, page 556, Microfilm Records of Klamath County, Oregon
In favor of: Oregon California & Eastern Railway Company
For: Use of road to provided access to railroad facilities
Affects: Section 27, Township 37, Range 11 1/2 East of the Willamette Meridian
67. Reservations in Bargain and Sale Deed, subject to the terms and provisions thereof, recorded January 9, 1992 in Volume M92, page 455, as follows:
"EXCEPTING from said conveyance all ores, base and precious metals, coal, oil, gas, other liquid or gaseous hydrocarbons, minerals, and mineral bearing substances of every kind and character, hereinafter referred to as "Mineral Interests," now known to exist or hereafter discovered in the Property, but not including common rock, sand, gravel, cinders, or clay commonly used for road construction purposes; and SUBJECT TO use of the surface and subsurface of the Property by owners of such mineral interest in connection with exploration for, extraction, treatment, development, and disposition of such mineral interest."
68. Reservations as contained in Patent recorded January 15, 1998 in Volume M98, page 1322, Microfilm Records of Klamath County, Oregon.
69. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 18, 2007
Recorded: December 17, 2008
Volume: 2008-014234, Microfilm Records of Klamath County, Oregon
In favor of: PacifiCorp, an Oregon corporation
For: Power transmission, distribution and communication lines
Affects: Section 27, Township 37, Range 11 1/2 East of the Willamette Meridian
70. Reservations, restrictions and easements as contained in Deed from State Land Board, State of Oregon, to Emile Egert, recorded April 24, 1937 in Volume 108, Page 603, Deed Records of Klamath County, Oregon.
Affects S1/2 SW1/4 Sec 16, T. 37s, R. 11 1/2 E. W. M.

THE FOLLOWING AFFECT CHAPMAN SULLIVAN - EAST (Property 400)

71. Taxes for the fiscal year 2011-2012, a lien not yet due and payable
72. 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.
73. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
74. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing Fire Patrol.
75. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
76. Reservations, restrictions and easements as contained in Deed from Isaac Loe and George Loe to Charles C. Crawford, recorded October 23, 1933 in Volume 101, page 554, Deed Records of Klamath County, Oregon. Affects: Sections 7, 8, 10, 15, 16, 18, 20, 21, 22, 23, 26, 27, 28 and 29, Township 37 South, Range 11 1/2 East of the Willamette Meridian.
77. Reservations, including the terms and provisions thereof as contained in instrument dated May 24, page 1937 and recorded May 25, 1937 in Volume 109 at page 541, Deed Records of Klamath County, Oregon, to wit:

"The grantors reserve to themselves from this conveyance all oil and minerals in said lands, and they and their heirs and assigns shall have the right at all times to enter upon the above described premises and to bore wells and make excavations on the same for the purposes of discovering and to remove therefrom all oil and other minerals found thereon."

(Permitted Exceptions Continued)

78. Reservations and restrictions in Patent, dated April 26, 1950, recorded September 8, 1950 in Volume 241, page 615, Deed Records of Klamath County, Oregon, reservation as to minerals.
79. Reservations and restrictions in Patent, dated July 12, 1957, recorded August 9, 1957 in Volume 293, page 457, Deed Records of Klamath County, Oregon, for power line right of way.
80. Reservations as contained in Patent recorded January 15, 1998 in Volume M98, page 1322, Microfilm Records of Klamath County, Oregon.
81. An easement created by instrument, subject to the terms and provisions thereof,
Dated: December 18, 2007
Recorded: December 17, 2008
Volume: 2008-014234, Microfilm Records of Klamath County, Oregon
In favor of: PacifiCorp, an Oregon corporation
For: Power transmission, distribution and communication lines
Affects: Section 27, Township 37, Range 11 1/2 East of the Willamette Meridian

THE FOLLOWING AFFECT HILDEBRAND (Property 500)

82. Taxes for the fiscal year 2011-2012, a lien not yet due and payable
83. 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.
84. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
85. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing Fire Patrol.
86. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
87. Reservations as contained in Patent, subject to the terms and provisions thereof;
Dated: September 25, 1907
Recorded: June 4, 1920
Volume: 52, page 555 Deed Records of Klamath County, Oregon
Affects: NW1/4 SE1/4
88. Reservations as contained in Patent, subject to the terms and provisions thereof;
Dated: September 8, 1921
Recorded: June 8, 1922
Volume: 58, page 568 Microfilm Records of Klamath County, Oregon
Affects: E1/2 SE1/4
89. An easement created by instrument, subject to the terms and provisions thereof,
Dated: May 10, 1975
Recorded: October 2, 1975
Volume: M75, page 12049, Microfilm Records of Klamath County, Oregon
In favor of: Michael B. Jager and Margaret H. Jager
For: Roads, gates and convenience of the second party
Over: The Westerly 15 feet

THE FOLLOWING AFFECT LONG LAKE (Property 600A)

90. Taxes for the fiscal year 2011-2012, a lien not yet due and payable
91. 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.

(Permitted Exceptions Continued)

92. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
93. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing Fire Patrol.
94. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
95. Reservations and Restrictions as contained in Warranty Deed to Weyerhaeuser Land Company, subject to the terms and provisions thereof,
Recorded: April 29, 1907
Volume: 22, page 401, Deed Records of Klamath County, Oregon.
(Affects many parcels)
96. Reservations of Mineral Rights as set forth in deed, subject to the terms and provisions thereof, from the Long-Bell Lumber Company to Weyerhaeuser Timber Company,
Recorded: December 30, 1927
Volume: 79, page 282, Deed Records of Klamath County, Oregon.
(Affects many parcels)

The affects of a Quitclaim Deed for the conveyance of mineral Rights
Recorded: August 10, 2010
Volume: 2010-009400, Microfilm Records of Klamath County, Oregon
To: BRP, LLC a Delaware limited liability company
97. An easement created by instrument, subject to the terms and provisions thereof,
Dated: July 1, 1941
Recorded: October 16, 1941
Volume: 141, page 619, Deed Records of Klamath County, Oregon
In favor of: The California Oregon Power Company
For: Regulating and controlling the waters, shores and beds of Upper Klamath Lake and of the streams flowing into and out of said lake
(Affects a portion of Townships 36, 37 and 38, Range 7; Townships 37 and 38, Range 8)
98. Easement Exchange, subject to the terms and provisions thereof;
Dated: June 29, 1972
Recorded: June 30, 1972
Volume: M72, page 7148, Microfilm Records of Klamath County, Oregon.
By and Between: Weyerhaeuser Company, James E. Creswell, Carol G. Creswell and Paul A. Breitenstein
(Affects a portion of Townships 38 and 39, Range 8)
99. Easement Exchange, subject to the terms and provisions thereof;
Dated: June 29, 1972
Recorded: June 30, 1972
Volume: M72, page 7156, Microfilm Records of Klamath County, Oregon.
By and Between: Weyerhaeuser Company, James E. Creswell and Carol G. Creswell
(Affects a portion of Townships 38 and 39, Range 8)
100. Reservations as contained in Deed, subject to the terms and provisions thereof;
Dated: August 27, 1996
Recorded: August 30, 1996
Volume: M96, page 26858, Microfilm Records of Klamath County, Oregon.
Grantor: Weyerhaeuser Company
Grantee: U.S. Timberlands Klamath Falls, L.L.C.
101. An easement created by instrument, subject to the terms and provisions thereof,
Recorded: November 6, 2007
Volume: 2007-019000, Microfilm Records of Klamath County, Oregon
In favor of: United States Cellular Operating Company of Medford
For: Access

(Permitted Exceptions Continued)

102. Lease, subject to the terms and provisions thereof;
Dated: May 31, 2007

A memorandum of which was,
Recorded: November 3, 2007
Volume: 2007-019001, Microfilm Records of Klamath County, Oregon
Lessor: Jeld-Wen, inc., an Oregon corporation
Lessee: United States Cellular Operating Company of Medford

Memorandum of Agreement, subject to the terms and provisions thereof;
Dated: October 21, 2008
Recorded: November 25, 2008
Volume: 2008-015766, Microfilm Records of Klamath County, Oregon

103. Conditional Use Permit Restrictive Covenant Fire Siting Standards, subject to the terms and provisions
Dated: October 31, 2007
Recorded: November 6, 2007
Volume: 2007-019002, Microfilm Records of Klamath County, Oregon

104. Conditional Use Permit Restrictive Covenant, subject to the terms and provisions
Dated: October 31, 2007
Recorded: November 3, 2008
Volume: 2007-019003, Microfilm Records of Klamath County, Oregon

105. An easement created by instrument, subject to the terms and provisions thereof,
Dated: October 7, 2004
Recorded: January 15, 2008
Volume: 2008-000607, Microfilm Records of Klamath County, Oregon
In favor of: PacifiCorp, an Oregon corporation
For: Electric power transmission, distribution and community lines

106. Conservation Easement created by instrument, subject to the terms and provisions thereof,
Dated: February 18, 2010
Recorded: February 18, 2010
Volume: 2010-002472, Microfilm Records of Klamath County, Oregon
In favor of: Klamath County

THE FOLLOWING AFFECT D G SWIFT (Property 600B)

107. Taxes for the fiscal year 2011-2012, a lien not yet due and payable
108. 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.
109. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
110. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
111. Lack of insurable right of access to and from the land.

THE FOLLOWING AFFECT ELLINGSON (Property 600C)

112. Taxes for the fiscal year 2011-2012, a lien not yet due and payable.
113. 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.

(Permitted Exceptions Continued)

114. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
115. Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of the within described streams, rivers, lakes or other water bodies; and any adverse claim based on the assertion (a) that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of such water bodies; (b) that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940; or (c) that any portion of the subject land is now or at any time has been below the ordinary high water line of such water bodies. The water bodies to which this exception pertains are: Upper Klamath Lake
116. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
117. Reservations and restrictions as contained in Deed from the California Oregon Power Company to Ellingson Lumber Company, including the terms and provisions thereof recorded June 21, 1951 in Volume 247, page 486, Deed Records of Klamath County, Oregon, to wit:
- Subject to a right of way for ditches, canal and reservoir sites for irrigation purposes, constructed or which may be constructed by authority of the United States or otherwise, which right of way is expressly reserved under deed from the State of Oregon to H. Newnham, dated March 9, 1908 and recorded March 13, 1908 in Volume 23, page 628, Deed Records of Klamath County, Oregon.
118. Release, subject to the terms and provisions thereof dated June 2, 1951 in Volume 247, page 511, Deed Records of Klamath County, Oregon.

119. Lack of insurable right of access to and from the land.

THE FOLLOWING AFFECT ELLINGSON 8 (Property 700)

120. Taxes for the fiscal year 2011-2012, a lien not yet due and payable.
121. 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.
122. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
123. Rights of the public in and to any portion of the herein described premises lying within the limits of streets, roads or highways.
124. Reservations, restrictions and easements as contained in Deed from Claudia Weiser Hood, a widow and Reba Weiser, Godowa Heceta and Samuel Heceta, her husband to Ellingson Lumber Company, including the terms and provisions thereof, recorded June 29, 1955 in Volume 275, page 387 Deed Records of Klamath County, Oregon, to wit:
- “this conveyance is subject to any existing easements for public roads and highways, for public utilities, and for railroads and pipe lines and for any other easements or rights of way of record. All subsurface rights, excepting water, are hereby reserved, in trust for the grantors.”
125. Restrictive Covenant, Fire Siting Standards, subject to the terms and provisions thereof
- Recorded: March 6, 2009
- Volume: 2009, page 003278, Microfilm Records of Klamath County, Oregon.

(Permitted Exceptions Continued)

THE FOLLOWING AFFECT ELLINGSON 6 (Property 800)

126. Taxes for the fiscal year 2011-2012, a lien not yet due and payable.
127. 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.
128. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Timber Fire Patrol.
129. The premises herein described are within and subject to the statutory powers, including the power of assessment and easements of Klamath Lake Grazing Fire Patrol.
130. Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of the within described streams, rivers, lakes or other water bodies; and any adverse claim based on the assertion (a) that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of such water bodies; (b) that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940; or (c) that any portion of the subject land is now or at any time has been below the ordinary high water line of such water bodies. The water bodies to which this exception pertains are: Sprague River
131. Reservations, restrictions and easements as contained in Deed from the United States of America to Ellingson Lumber Company including the terms and provisions thereof recorded December 16, 1955 in Volume 280, page 46, Deed Records of Klamath County, Oregon, to wit:

“this patent is issued under authority of Section one of the Act of June 25, 1910 (36 Stat. 855), and is subject to the reservations of all subsurface rights, except water, to the Heirs of Old Seep-pe, their heirs and assigns, under the terms approved by the Secretary of the Interior, March 25, 1946, pursuant to said Act.”