

2014-010048

Klamath County, Oregon



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09/29/2014 12:47:31 PM

Fee: \$77.00

**After Recording, Return To:**

Green Diamond Resource Company  
Attn: General Counsel  
1301 Fifth Avenue, Suite 2700  
Seattle, WA 98101-2613

**Until A Change Is Requested,  
Send All Tax Statements To:**

Same as above



Space above reserved for recorder

**STATUTORY WARRANTY DEED  
(Klamath County)**

JWTR OREGON, LLC, an Oregon limited liability company and successor by merger to JWTR Timber Holdings, Inc., an Oregon corporation (which was formerly known as Jeld-Wen Timber Holdings, Inc.) ("**Grantor**"), conveys and warrants to GREEN DIAMOND RESOURCE COMPANY, a Washington corporation ("**Grantee**"), the real property located in Klamath County, Oregon, described on the attached **Exhibit A** (the "**Property**"), free of encumbrances except as specifically set forth herein;

TOGETHER WITH all rights, privileges and interests appurtenant thereto, including (i) all trees growing or down and logs, fiber and woody biomass located thereon; (ii) all of Grantor's interest and rights in minerals, oil and gas, gravel and rock located thereon or thereunder; (iii) all of Grantor's right, title and interest in, to and under all structures, facilities and improvements, including all buildings, bridges and gates; (iv) all of Grantor's right, title and interest in, to and under all fixtures, systems, equipment and other items of personal property attached or appurtenant thereto; (v) all of Grantor's right, title and interest in, to and under all easements, road use agreements, rights-of-way and licenses appurtenant thereto, to the extent assignable and transferable; (vi) all of Grantor's interest in water rights appurtenant to or used in connection with the Property, including any rights, agreements or contracts related to the delivery of water to the extent they relate to the Property and stock in water companies providing water to the Property; and (vii) all of Grantor's right, title and interest in, to and under all licenses, permits, approvals and franchises relating to the zoning, land use, ownership, operation, occupancy, construction or maintenance thereof running to or in favor of the Grantor or the Property, to the extent assignable and transferable.

The true consideration for this conveyance stated in terms of dollars is \$6,831,230.00.

SUBJECT TO, and excepting and excluding from the covenants and warranties described herein and in ORS 93.850, the matters set forth on 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

*[Signature and acknowledgement on following page.]*

DATED this 27 day of Sept., 2014.

**GRANTOR:**

JWTR OREGON, LLC,  
an Oregon limited liability company and successor by  
merger to JWTR Timber Holdings, Inc., an Oregon  
corporation (which was formerly known as Jeld-Wen  
Timber Holdings, Inc.)

By: JWTR, LLC,  
an Oregon limited liability company  
its Manager

By: Samuel D. Porter  
Samuel D. Porter, President

STATE OF OREGON           )  
  )ss.  
County of Klamath        )

The foregoing instrument is acknowledged before me this 27 day of September, 2014, by Samuel D. Porter as President of JWTR, LLC, an Oregon limited liability company, Manager of JWTR Oregon, LLC.



Cherice F. Treasure

Notary Public for Oregon

Commission No.: 468299

My commission expires: 6/17/2016

**Exhibit A**

**Legal Description of Property**

**TRACT B**

**DEEP CREEK PARCEL**

**PARCEL 1:**

Section 3 - S1/2  
Section 4 - Government Lots 1, 2, 3 and 4, S1/2 N1/2, S1/2  
Section 5 - Government Lots 1, 2, 3 and 4, S1/2 N1/2, S1/2  
Section 6 - Government Lots 1 and 2, S1/2 NE1/4, SE1/4  
Section 7 - E1/2 NE1/4  
Section 8 - N1/2, SE1/4, NE1/4 SW1/4  
Section 9 - All  
Section 10 - All  
Section 11 - All  
Section 12 - All  
Section 13 - All  
Section 14 - All  
Section 15 - All  
Section 16 - All  
Section 17 - E1/2  
Section 20 - NE1/4, E1/2 SE1/4  
Section 21 - All  
Section 22 - All  
Section 23 - All  
Section 24 - All  
Section 25 - All  
Section 26 - All  
Section 27 - All  
Section 28 - All  
Section 29 - E1/2 E1/2  
Section 32 - E1/2 E1/2  
Section 33 - All  
Section 34 - All  
Section 35 - All  
Section 36 - All

All being in Township 31 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

PARCEL 2:

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, S1/2  
Section 4 - Government Lots 1, 2, 3 and 4, S1/2 N1/2, S1/2  
Section 5 - Government Lot 1, SE1/4 NE1/4, E1/2 SE1/4  
Section 8 – E2E2  
Section 9 - All  
Section 10 - All  
Section 11 - All  
Section 12 - All  
Section 13 - All  
Section 14 - All  
Section 15 - All  
Section 16 - All  
Section 17 - E1/2 E1/2  
Section 20 - E1/2 E1/2  
Section 21 - All  
Section 22 - All  
Section 23 - All  
Section 24 - All  
Section 25 - All  
Section 26 - All  
Section 27 - All  
Section 28 - All  
Section 33 - All  
Section 34 - All  
Section 35 - All  
Section 36 - All

All being in Township 32 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

**YOUNG**

The NE1/4 NE1/4 of Section 29, Township 32 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon.

## **Exhibit B**

### **Exceptions to Title**

1. Liens for current year real property taxes not yet due or payable.
2. The agreements listed in a Part II of Schedule 2.1.6 of the Asset Purchase Agreement among JWTR, LLC, JWTR OREGON, LLC, JWTR LOGGING COMPANY, JWTR TRANSPORTATION, LLC, SOUTHERN OREGON ROUND STOCK, INC., LEE SMITH LOGGING CO., INC., as Sellers, and GREEN DIAMOND RESOURCE COMPANY, as Buyer, dated as of July 24, 2014 (as amended), insofar as they pertain to the Property.
3. Discrepancies and conflicts in boundary lines, encroachments, shortage of area and similar matters which an ALTA survey would disclose to the extent such matters do not materially impair the use of the Property or improvements thereon as currently used by Grantor.
4. Rights of the public in roads and highways.
5. Rights of way for utility lines now installed on the Property.
6. Unpatented mining claims.
7. Reservations in federal patents or in acts authorizing the same.
8. Zoning, entitlement, conservation restrictions and other land use and environmental regulations by any applicable federal, state or local municipal entity or government or other administrative, judicial or other governmental department, commission, court, board, bureau, agency or instrumentality applicable to the Property.

### **THE FOLLOWING AFFECT TRACT B (DEEP CREEK):**

9. Taxes for the fiscal year 2014-2015, a lien, not yet due and payable.
10. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Forest 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.
11. 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.

12. Rights of the public in and to any portion of the herein described premises lying within the limits of public streets, roads or highways.
13. Memorandum of Agreement, subject to the terms and provisions thereof;  
Dated: January 17, 1984  
Recorded: April 3, 1984  
Volume: M84, page 5382, Microfilm Records of Klamath County, Oregon.  
By and between: Chewacan Land and Cattle Company, predecessor to ZX Land and Cattle Company and Weyerhaeuser Timber Company, predecessor to Weyerhaeuser Company  
Affects: Townships 31 and 32, Range 11
14. 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.

#### **THE FOLLOW AFFECT YOUNG**

15. Taxes for the fiscal year 2014-2015, a lien, not yet due and payable.
16. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Forest 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.
17. Reservations and restrictions as contained in Deed of Tribal Property recorded February 16, 1959, Book 309, page 587, Deed Records of Klamath County, Oregon.

#### **THE FOLLOWING AFFECT ALL OF KLAMATH COUNTY PROPERTY**

18. Subject to ancestral rights, if any, of descendants of aboriginal inhabitants to occupy, use and possess any portion of the premises, as reserved by treaties, understandings, practice, statutes, judicial decision, for food gathering, shelter, religious ceremonies, social and economic gatherings, battlefields and burial sites

19. Subject to the terms and provisions of an Easement, Road Use Agreements, and Rights-of-Way Assignment and Assumption Agreement, dated and recorded of even date herewith in the Records of Klamath County, Oregon.

Assignors: JWTR, LLC, an Oregon limited liability company and JWTR Oregon, LLC, an Oregon limited liability company

Assignee: Green Diamond Resource Company, a Washington corporation