

06/21/2016 09:17:24 AM

2016-006545

Klamath County, Oregon

Fee: \$112.00

RECORDING COVER PAGE

PER ORS 205.234

Returned at Counter

PLEASE FILL OUT COMPLETE AND LEGIBLE

THIS COVER PAGE HAS BEEN PREPARED BY THE PERSON PRESENTING THE ATTACHED INSTRUMENT FOR RECORDING. ANY ERRORS IN THIS COVER PAGE DO NOT AFFECT THE TRANSACTION(S) CONTAINED IN THE INSTRUMENT ITSELF.

AFTER RECORDING RETURN TO:

NAME AND ADDRESS OF THE PERSON AUTHORIZED TO RECEIVE THE INSTRUMENT AFTER RECORDING AS REQUIRED BY ORS 205, 180(4) Jackson County Official Records 2016-017631 R-AMN 06/09/2016 01:50:01 PM Cnt=1 HELMANCD Total:\$138.00 \$75.00 \$5.00 \$10.00 \$5.00 \$8.00 \$11.00 \$20.00 \$4.00



ounty, Oregon, certify ad in the Clerk

Clerk

AND ORS 205.238.	I, Christine Walker, County Clerk for Jackson C that the instrument identified herein was record records.
Bureau of Land Manage ment 3040 Biddle Rogo, Medford OR 9750 1. NAME OF THE TRANSACTION (S), DESCRIBED IN THE ATTACHED INSTRU	Christine Walker - Count
NOTE: Transaction as defined by ORS 205.010 "means any action required or perr regulation to be recorded including, but not limited to, any transfer encumbrance real property".	mitted by state law or rule federal law or
Amendment No.1 to 0xC Permit M-690E	
and Road Use and Right- of-way Agreement M-690 F	· · · · · · · · · · · · · · · · · · ·
2. Grantor/Direct (s) as described in ORS 205.160.	
United States	
Bureau of Land Management	·
·	
3. Grantee/Indirect (s) as described in ORS 205.160.	
AP Timber, LLC	
4. TRUE AND ACTUAL CONSIDERATION PAID for instruments conveying of estate and all memoranda of such instruments, reference ORS 93.030.	r contracting to convey fee title to any real
5. UNTIL A CHANGE IS REQUESTED, All Tax Statements shall be sent for instruments conveying or contracting to convey fee title to any real estate refe	
6. SATISFACTION OF ORDER OR WARRANT ORS 205.234 (1) (f). FULL PARTIAL)/A
7. LIEN DOCUMENTS: ORS 205.234 (1) (f), Amount of Lien \$	N/A
Effective 09/07/2012	

AP Timber Permit/Serial No.: M-690E/OR 68169 FD
Agreement No. M-690E/OR 58508E

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
(43 CFR Part 2812)

AMENDMENT 1 TO O. AND C. LOGGING ROAD RIGHT-OF-WAY PERMIT M-690E (OR 68169FD) and AGREEMENT NO. M-690E (OR 58508E)

WHEREAS, Weyerhaeuser Company granted to the United States of America (hereinafter referred to as UNITED STATES), Right-of-Way and Road Use Agreement No. M-690 (assigned serial No. OR 58508 PT), which was accepted by the UNITED STATES on June 19, 1963, and subsequently recorded in the Deed Records of Jackson County on June 19, 1963 at Volume 547, Page 588 and also recorded in the Deed Records of Klamath County on July 8, 1963 at Volume 346, Page 367, said Agreement granted for the purpose of management and removal of timber and other forest products from lands of the UNITED STATES, and

WHEREAS, on June 19, 1963, the UNITED STATES granted to Weyerhaeuser Company (hereinafter referred to as Weyerhaeuser), O. and C. Logging Road Right-of-Way Permit No. M-690 for the purpose of access to and removal of timber and other forest products which are owned or controlled by said Permittee as of the time when said Permittee exercises any rights over such rights-of-way; and

WHEREAS said Permit and Agreement were amended on 12 occasions with Amendment No. 12 being recorded on December 23, 1988 at Vol. M-88, Page 21974 in the Deed Records of Klamath County.

WHEREAS, said Permit M-690 was partially assigned to Divide Resources, Inc. with Assignment permit being numbered as M-690 B approved by the BLM Medford District on November 12, 1996 and approved by the BLM Lakeview District on January 3, 1997; and

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WHEREAS, said Permit M-690 was fully assigned from Weyerhaueser Company to U.S. Timberlands, Klamath Falls, L.L.C., such assignment being approved by the BLM Medford District on February 3, 1997 and approved by the BLM Lakeview District on February 10, 1997 and subsequently recorded on February 26, 1997 in the Deed records of Klamath County as Vol. M97, Page 5726 and recorded in the Official Records of Jackson County on June 19, 1997 as Document 97-22977; and

WHEREAS, U.S. Timberlands, Klamath Falls, L.L.C., by Warranty Deed recorded on September 12, 2002 as Document 02-48317, in the Official Records of Jackson County, Oregon, conveyed to Boise Cascade Corporation certain properties; and

WHEREAS, L.L. Boyd Properties, Inc. and Jerry E. Michael conveyed to Boise Cascade Corporation certain properties which were included on Schedule 2 of said M-690 Agreement by Warranty Deed recorded March 24, 2003 as document No. 03-17753 and also by Statutory Warranty Deed recorded on May 21, 2004 as Document 2004-028658, both being recorded in the Official Records of Jackson County, Oregon; and

WHEREAS, Boise Cascade Corporation conveyed to Boise Southern Oregon Land & Timber, L.L.C. by deed recorded on November 5, 2004 as Document 2004-64862 and rerecorded on February 3, 2005 at Document 2005-006324 in the Jackson County Official Records; and

WHEREAS, Boise Southern Oregon Land & Timber, LLC, by Certificate of Name Change filed and recorded as document No. 2005-015531 on March 22, 2005 changed their name to Meriwether Southern Oregon Land & Timber, LLC; and

WHEREAS, by the filing of an Amendment/Withdrawal – Foreign Limited Liability Company with the Oregon Secretary of State on January 13, 2004, US Timberlands Klamath Falls, LLC, changed their name to Inland Fiber Group, LLC, a Delaware corporation and the United States recognized the name change on August 11, 2005 and designated Inland Fiber Group, LLC as the Permittee for said permit L/M-690; and

WHEREAS, Amendment No. 13 and 14 of said Permit and Agreement were approved, with Amendment No. 14 being approved by the BLM on March 30, 2006 and said amendment being recorded on June 13, 2006 in the Official Records of Jackson County as document No. 2006-030071; and

WHEREAS, by various deeds recorded in Jackson and Klamath Counties, Inland Fiber Group, LLC conveyed all of their property affecting Schedule 2 of Agreement to JWTR, LLC and on October 11, 2007 the BLM approved a full assignment of the M-690 Permit from Inland Fiber Group, LLC to JWTR, LLC; and

WHEREAS, JWTR, LLC conveyed to JWTR Oregon, LLC lands affecting Schedule 2 of the Agreement by deed recorded on March 4, 2010 as Document 2010-007264 in the Official Records of Jackson County, Oregon and by deed recorded on March 4, 2010 as document No. 2010-002918 in the deed records of Klamath County, Oregon and on November 14,

2010, the BLM issued an Acknowledgement of Name Change, recognizing JWTR Oregon, LLC as the Permittee of M-690; and

WHEREAS, on October 28, 2011, Amendment No. 15 was approved and such amendment was recorded in the records of Klamath County, Oregon as document No. 2011-012878 on November 17, 2011; and

WHEREAS, by corporate name change filed with Oregon Secretary of State on July 17, 2012 Meriwether Southern Oregon Land & Timber LLC changed their name to Tristar Southwest Oregon Timberlands LLC (Tristar); and

WHEREAS, Tristar conveyed some of their aforesaid lands to AP Timber, LLC (AP Timber) by Warranty Deed recorded on July 24, 2013 as document No. 2013-024796 in the Official Records of Jackson County, and

WHEREAS, said Permit No. M-690 was partially assigned to AP Timber, creating O&C Permit No. M-690E/OR 68169 FD being approved by the BLM Medford District on December 12, 2014, which also included a Schedule 2E creating Agreement M-690E (OR 58508E) for the U.S. rights over the lands conveyed to AP Timber; and

WHEREAS, AP Timber desires to have rights over the Keno Access Road in Klamath County added to Schedule 1 of said Permit M-690E, and the United States is willing to grant such rights; and

WHEREAS, the stipulations in Exhibit A and Exhibit B of the M-690 Permit and Agreement were carried forward to the partially assigned M-690E Permit and the newly created sub-Agreement M-690E; and

WHEREAS, AP Timber and the UNITED STATES (U.S.) desire and agree to modify the insurance requirements.

NOW, THEREFORE, the parties hereto do mutually agree as follows:

- 1. That the U. S. Road Segments on U.S. lands and the U.S. Easements listed on the "M-690E Schedule 1 Amendment 1", attached hereto and made a part hereof, shall hereafter be subject to the terms and conditions of the M-690E Permit and Agreement the same as if such property were included in Schedules 1 thereof.
- 2. Such Roads and Easement are shown on the map entitled "Exhibit C Amendment 1 to M-690E" attached hereto and made a part hereof.
- 3. The Keno Access Road is designated as a tie road and as such is free use as to road amortization and road use fees.

4. That Paragraph 7 of Exhibit A to said Permit M-690E shall be replaced with the following:

When the Permittee exercises any rights granted by this permit, the United States may require the Permittee to furnish a performance bond in an amount not to exceed \$10,000.00, in favor of the United States, conditioned upon faithful performance of the terms and conditions of this permit.

The United States may also require the Permittee to maintain commercial liability insurance covering all operations, including vehicles, of the Permittee under this permit in amounts not to exceed the following whenever it exercises any of the rights granted by this permit:

- a) Bodily injury, \$1,000,000.00 for injury to any one person; \$1,000,000.00 for any one occurrence; and
- b) Property damage, \$1,000,000.00 for any one occurrence; and
- c) Loggers Broad Form B, 1,000,000.00 if cutting timber on United States property.

The Permittee shall deliver to the United States a certificate from the insurer stating that such insurance is in force and that the insurer will give the United States ten (10) days' notice prior to any cancellation or modification of such insurance. It is understood that the amounts of the bond and insurance required herein shall be reviewed periodically and that the parties may mutually agree upon such adjustment as is required to comply and conform to general insurance practices of the timber industry in effect at the time of review.

5. That Paragraph 8 of Exhibit B to said Agreement M-690E shall be replaced with the following:

When a Licensee of the United States uses any road which is owned or controlled by the Permittee, located on the lands described in Schedules 1 or 2, or severs Licensor's timber in the construction of a road(s) the Licensee shall enter into an agreement with the Permittee. The form of such agreement must be approved in writing by the BLM Authorized Officer prior to its use. The Permittee may also require such Licensee to obtain a performance bond in the amount not to exceed \$10,000.00 in favor of the Permittee, conditioned upon faithful performance of such agreement.

The Permittee may also require the Licensee of the United States to maintain commercial liability insurance covering all operations, including vehicles of the Licensee under this agreement in amounts not to exceed the following whenever it exercises any of the rights granted by this agreement:

- a) Bodily injury, \$1,000,000.00 for injury to any one person; \$1,000,000.00 for any one occurrence; and
- b) Property damage, \$1,000,000.00 for any one occurrence; and
- c) Loggers Broad Form B, 1,000,000.00 if cutting timber on United States property.

The Licensee shall deliver to the Permittee a certificate from the insurer stating that such insurance is in force and that the insurer will give the Permittee ten (10) days' notice prior to any cancellation or modification of such insurance.

6. Thereof, that in all other respects said Agreement and Permit M-690E shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date shown below:

AP Timber, LLC

a Delaware limited liability company

by its Advisor, Hancock Natural Resource Group, Inc. (HNRGI), a Delaware corporation

1 1 XM	
David Kimbrough	
Vice-President	
NORTH CAROLINA STATE OF OREGON	
) ss:	
COUNTY OF MECKLENBURG)	
order 4th dance April	2016

[SEAL]

Notary Public in and for the
State of: North Carolina.
Residing at: Mecklerburg (burty, Charlotte
My commission expires:

3-27-2017 (applica

(_p /

AGENCY APPROVAL: UNITED STATES OF AMER DEPARTMENT OF THE INT BUREAU OF LAND MANAC District Manager, Medford Dis	TERIOR GEMENT 6/3/16
STATE OF OREGON COUNTY OF JACKSON)) ss:)
Manager of the Medford District the foregoing instrument by aut	
STATE OF OREGON COUNTY OF LAKE)) ss:)
Manager of the Lakeview Distribute the foregoing instrument by aut	, 2016 before me personally appeared whom being duly sworn, did say that he/she is the District ict of the Bureau of Land Management, and that he/she executed hority of and in behalf of the United States of America; and ument to be the act and deed of the United States of America
CRITHERINE ANN CALLAGHAN NOTARY PUBLIC - OREGON COMMISSION NO. 475548 MY COMMISSION EXPIRES FEBRUARY 12, 2017	Notary Public in and for the State of: ORE GON Residing at: LAVEVIEW My commission expires: FEB, 12, 2017

U.S.DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT LAKEVIEW DISTRICT OFFICE KLAMATH FALLS RESOURCE AREA

Schedule 1 - M-690E - OR 68169 FD - AP Timber, LLC

Amendment 1 – Adding Keno Access Road in Klamath County – <u>U.S. Easements</u>

RIGHT-OF-WAY LAND DESCRIPTION

PERMITTE		AP TIMBER LLC			
Meridian:	Will	amette	County:	Klamath	
					25 1 N L G

The U.S. (BLM) Easement Roads located in Klamath County and shown on the attached map labelled as "Exhibit C – Amendment 1 to M-690E Permit" such easements designated by a symbol shown as " U.S. Easement Added to Schedule 1" over and across the following described lands are hereby added to Schedule 1 of said Permit M-690E.

Town- ship	Range	Sec- tion	Subdivision	Road & Segment No.	Dist. Easement No. and Recording Info.	Period
r					RE-M/L-108, OR 41025,	
					Vol. 315, Page 446, and as	
					corrected in	
					Vol. 335, Page 263,	
					and as amended at	
					Vol. 77, Page 11586	
			M&B in NW4NE4,	39-7E-31.00,	less portion released at Vol.	
88 S.	5 E.	22	S½NE¼ & N½NW¼	Port Seg. A	77, Page 11590	Perpetual
				39-7E-31.00,	RE-L-92B, OR 41012	
88 S.	5 E.	24	M&B in N½SW¼	Port Seg. A	Vol. 208, Page 613	Perpetual
				<u> </u>	RE-M/L-108, OR 41025,	
					Vol. 315, Page 446, and as	
					corrected in	
		İ			Vol. 335, Page 263,	
			·	39-7E-31.00,	and as amended at	
8 S.	5 E	24	M&B in SE1/4SW1/4, S1/2SE1/4	Port Seg. A	Vol. 77, Page 11586	Perpetual
. .				39-7E-31.00,	RE-L-93A, OR 17521	
88 S.	6 E.	30	M&B in SW1/4NE1/4	Port Seg. A	Vol. 77, Page 4032	Perpetual
		-			RE-M/L-108, OR 41025,	1
					Vol. 315, Page 446, and as	
		İ			corrected in	
					Vol. 335, Page 263,	
					and as amended at	
					Vol. 77, Page 11586	
			M&B in SW1/4NW1/4, SW1/4,	39-7E-31.00,	less portion released at Vol.	
8 S.	6 E.	32	SW¼SE¼	Port Seg. A	77, Page 11590	Perpetual
		 -			RE-M/L-108, OR 41025,	1
					Vol. 315, Page 446, and as	
					corrected in	
					Vol. 335, Page 263,	
				39-7E-31.00.	and as amended at	-
9 S.	6 E.	03	M&B in Lots 5, 12, 13 & 14	Port Seg. A	Vol. 77, Page 11586	Perpetual
<i>-</i>				1	RE-M/L-108, OR 41025,	1
					Vol. 315, Page 446, and as	
					corrected in	
			M&B in the unnumbered lot		Vol. 335, Page 263,	
			commonly described as the	39-7E-31.00,	and as amended at	
39 S.	6 E.	04	N ¹ / ₄ NW ¹ / ₄	Port Seg. A	Vol. 77, Page 11586	Perpetual

U.S.DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT LAKEVIEW DISTRICT OFFICE KLAMATH FALLS RESOURCE AREA

Schedule 1 - M-690E - OR 68169 FD - AP Timber, LLC

Amendment 1 – Adding Keno Access Road in Klamath County – <u>U.S. Easements</u>

RIGHT-OF-WAY LAND DESCRIPTION

PERMITTEE: AP TIMBER LLC			
Meridian: Willamette	County:	Klamath	

The U.S. (BLM) Easement Roads located in Klamath County and shown on the attached map labelled as "Exhibit C – Amendment 1 to M-690E Permit" such easements designated by a symbol shown as " Added to Schedule 1" over and across the following described lands are hereby added to Schedule 1 of said Permit M-690E.

101-030						
Town-	Range	Sec- tion	Subdivision	Road & Segment No.	Dist. Easement No. and Recording Info.	Period
ship	Kange	เเบม	Subulvision	1,00	RE-M/L-108, OR 41025,	101104
					Vol. 315, Page 446, and as	
			M&B in Lot 2 & Lot 9, and		corrected in	
			the unnumbered government		Vol. 335, Page 263,	
			lots commonly described as	39-7E-31.00,	and as amended at	
39 S.	6 E.	10	S½NE¼, E½NW¼,	Port Seg. A	Vol. 77, Page 11586	Perpetual
3,0.	V D.	1.0	5721(2)(3)2721(1)(3)		RE-M/L-108, OR 41025,	•
		ŀ		ļ	Vol. 315, Page 446, and as	
					corrected in	
					Vol. 335, Page 263,	
				39-7E-31.00,	and as amended at	
39 S.	6 E.	11	M&B in W1/2SW1/4	Port Seg. A	Vol. 77, Page 11586	Perpetual
37 0.	0 2.		10000		RE-M/L-108, OR 41025,	•
					Vol. 315, Page 446, and as	
		ļ			corrected in	
		Ì	M&B in N1/2NW1/4,		Vol. 335, Page 263,	
			SE1/4NW1/4, NE1/4SW1/4,	39-7E-31.00,	and as amended at	
39 S.	6 E.	14	NW1/4SE1/4, S1/2SE1/4	Port Seg. A	Vol. 77, Page 11586	Perpetual
					RE-M/L-108, OR 41025,	
					Vol. 315, Page 446, and as	
					corrected in	
					Vol. 335, Page 263,	
				39-7E-31.00,	and as amended at	
39 S.	6 E.	23	M&B in E½NE¼	Port Seg. A	Vol. 77, Page 11586	Perpetual
					RE-M/L-108, OR 41025,	
					Vol. 315, Page 446, and as	
					corrected in	
			M&B in W½NW¼,	İ	Vol. 335, Page 263,	
			N ¹ / ₂ SW ¹ / ₄ , SE ¹ / ₄ SW ¹ / ₄ .	39-7E-31.00,	and as amended at	
39 S.	6 E.	24	SW4SE4	Port Seg. A	Vol. 77, Page 11586	Perpetual
	1				RE-M/L-108, OR 41025,	
		İ			Vol. 315, Page 446, and as	
					corrected in	
					Vol. 335, Page 263,	
	1			39-7E-31.00,	and as amended at	
39 S.	6 E.	25	M&B in NE ¹ / ₄	Port Seg. A	Vol. 77, Page 11586	Perpetua;

U.S.DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT LAKEVIEW DISTRICT OFFICE KLAMATH FALLS RESOURCE AREA Schedule 1 - M-690E - OR 68169 FD - AP Timber, LLC

Amendment 1 – Adding Keno Access Road in Klamath County – <u>U.S. Easements</u>

RIGHT-OF-WAY LAND DESCRIPTION

PERMITTE	E:	AP TIMBER LLC		
Meridian:	Will	amette	County:	Klamath
The U.S. (BI	M) E	asement Roads located in I	Clamath County and	shown on the attached map labelled as "Exhibit C
– Amendmer	nt 1 to	M-690E Permit" such ease	ments designated by	a symbol shown as " annum - U.S. Easement

The U.S. (BLM) Easement Roads located in Klamath County and shown on the attached map labelled as "Exhibit C – Amendment 1 to M-690E Permit" such easements designated by a symbol shown as " — U.S. Easement Added to Schedule 1" over and across the following described lands are hereby added to Schedule 1 of said Permit M-690E.

Town- ship	Range	Sec- tion	Subdivision	Road & Segment No.	Dist. Easement No. and Recording Info.	Period
					RE-M/L-108, OR 41025,	ł
					Vol. 315, Page 446, and as	
					corrected in	}
					Vol. 335, Page 263,	
			M&B in unnumbered lots		and as amended at	
			commonly described as the		Vol. 77, Page 11586	
	İ		SW14NW14, N1/2SW1/4,	39-7E-31.00,	less portion released at Vol.	
39 S.	7 E.	30	SE¼SW¼	Port Seg. A	77, Page 11590	Perpetual
					RE-M/L-108, OR 41025,	
					Vol. 315, Page 446, and as	
					corrected in	
					Vol. 335, Page 263,	
			M&B in NW¼NE¼,	39-7E-31.00,	and as amended at	
39 S.	7 E.	31	NE¼NW¼	Port Seg. A	Vol. 77, Page 11586	Perpetual
				39-7E-31.00,	RE-L-142, OR 41048	
39 S.	7 E.	31	M&B in SW¼NE¼	Port Seg. A	Vol. 315, Page 282	Perpetual

U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT OREGON STATE OFFICE

RIGHT-OF-WAY LAND DESCRIPTION

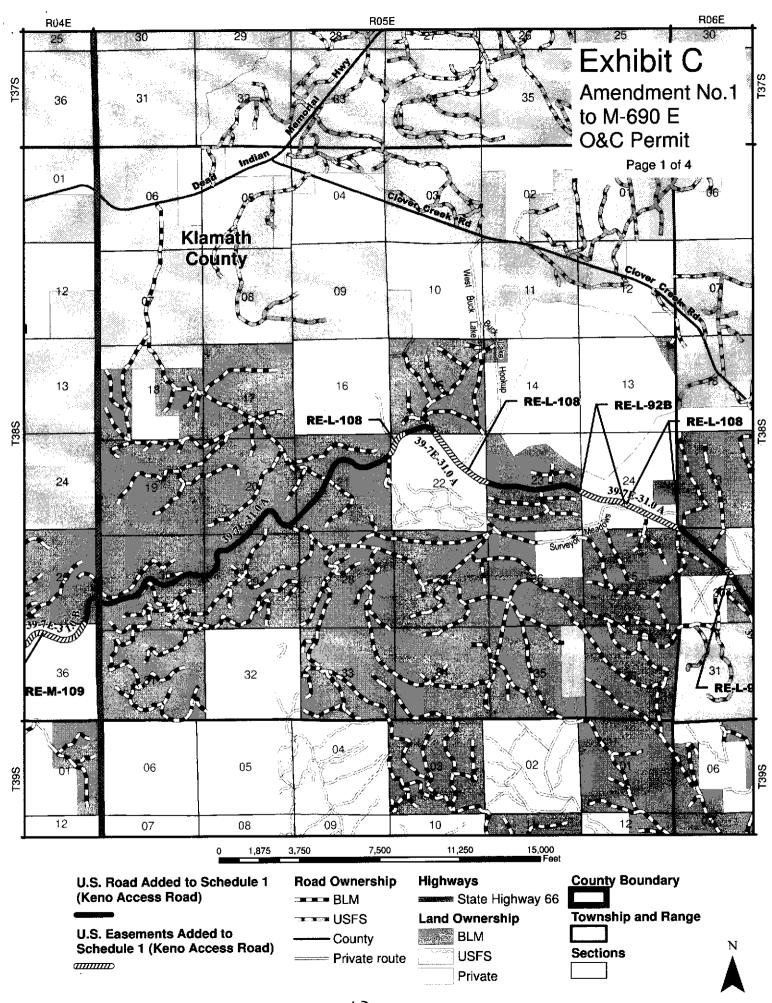
Schedule 1 - M-690E/OR68169FD - AP TIMBER LLC

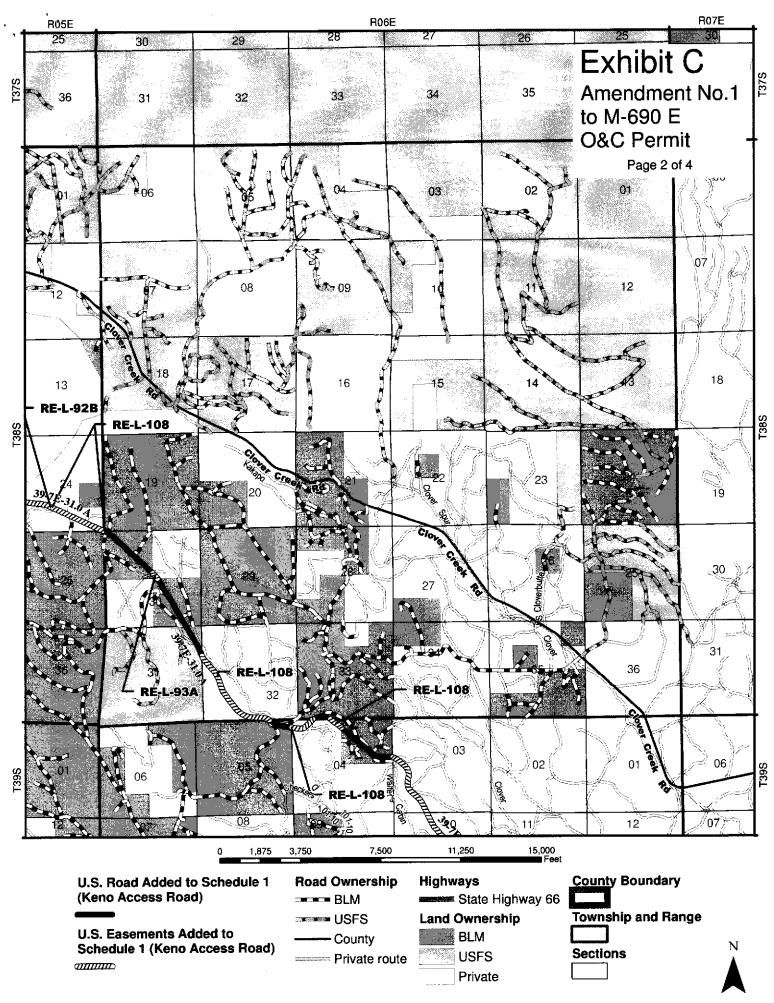
Amendment 1 – Adding Keno Access Road in Klamath County – <u>U.S. Roads - U.S. Lands</u>

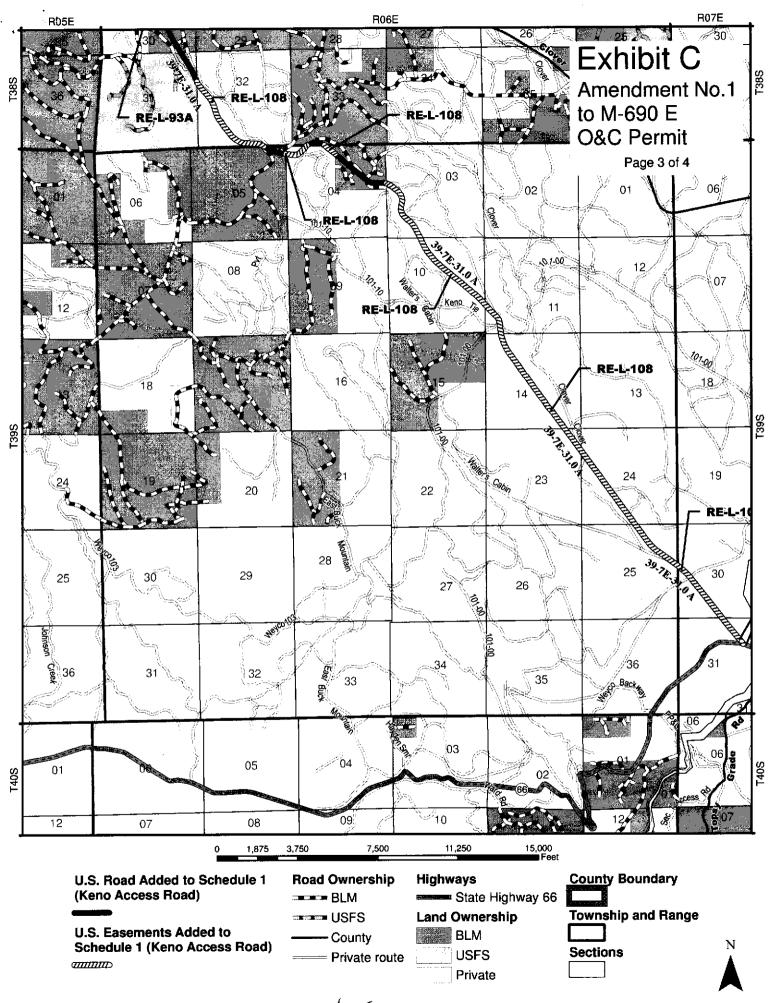
Permittee:	AP TIMBER LLC		
Meridian:	Willamette	County:	Klamath
"Exhibit C – .	Amendment 1 to M-690E" s to Schedule 1" over and ac	such U.S. Roads designate	nd shown on the attached map labelled as d by a symbol shown as " - U.S ed lands are hereby added to Schedule 1 of s

Town- ship	Range	Sec- tion	Subdivision over which Road Crosses	Road & Segment No.	Duration
38 S.	5 E.	15	S½SW¼	39-7E-31.00, Port Seg. A	Perpetual
38 S.	5 E.	20	SE ¹ / ₄	39-7E-31.00, Port Seg. A	Perpetual
38 S.	5 E.	21	W½NE¼	39-7E-31.00, Port Seg. A	Perpetual
38 S.	5 E.	23	N½S½	39-7E-31.00, Port Seg. A	Perpetual
38 S.	5 E.	29	NW¼	39-7E-31.00, Port Seg. A	Perpetual
38 S.	5 E.	30	S½NE¼, SE¼NW¼, N½SW¼	39-7E-31.00, Port Seg. A	Perpetual
38 S.	6 E.	30	NW¼, SE¼	39-7E-31.00, Port Seg. A	Perpetual
38 S.	6 E.	31	E½NE¼ (BLM Road on U.S. Forest Service Land)	39-7E-31.00, Port Seg. A	Perpetual
38 S.	6 E.	33	S½S½SW¼	39-7E-31.00, Port Seg. A	Perpetual
39 S.	6 E.	04	NE1/4	39-7E-31.00, Port Seg. A	Perpetual
39 S.	6 E.	05	NE¼NE¼NE¼	39-7E-31.00, Port Seg. A	Perpetual
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