



2022-013657

Klamath County, Oregon

11/23/2022 11:43:01 AM

Fee: \$107.00

*After recording, return to/send tax statements to:*

The Trust for Public Land  
1218 Third Avenue, Suite 1700  
Seattle, Washington 98101  
Attention: Legal Department

### STATUTORY WARRANTY DEED

**JWTR, OREGON LLC**, an Oregon limited liability company ("Grantor"), for valuable consideration, the receipt of which is hereby acknowledged, does hereby convey and warrant to **THE TRUST FOR PUBLIC LAND**, a California nonprofit public benefit corporation ("Grantee") the real property described on **Exhibit A** attached hereto and hereby incorporated by this reference (the "Property") free of liens and encumbrances except as specifically set forth below;

**TOGETHER WITH**, all improvements thereon and any other rights or interests owned by Grantor including, but not limited to, all of Grantor's access rights, water rights, timber rights, and mineral rights, if any, on or appurtenant to the Property;

**SUBJECT TO** those liens and encumbrances described on **Exhibit B** attached hereto and hereby incorporated herein by this reference.

The true consideration for this conveyance is \$6,035,000.00 (Six Million Thirty-Five Thousand Dollars.)

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

Dated this 16 day of November, 2022.

By: Matthew Wendt  
Matthew Wendt, Manager

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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon:

Section 35: Government Lots 2 and 3; SE1/4 SE1/4

Section 36: Government Lot 6; S1/2 SW1/4

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

Section 1: NW1/4; NW1/4 NE1/4; S1/2 NE1/4; S1/2

Section 2: Government Lots 1, 2, 3 and 4; NE1/4 NE1/4; S1/2 NE1/4; NE1/4 SW1/4; S1/2 SW1/4; SE1/4

Section 3: Government Lot 1; NW1/4 NE1/4; S1/2 NE1/4; S1/2; East 60 feet of the NE1/4 NW1/4; S1/2 NW1/4;

EXCEPTING THEREFROM THE FOLLOWING:

Beginning at the Northeast corner of said S1/2 NW1/4; thence West along the North line of said S1/2 NW1/4 to the Northwest corner thereof; thence South along the West line of said S1/2 NW1/4 to the Southwest corner thereof; thence Northeasterly along a straight line to the point of beginning.

AND FURTHER EXCEPTING THEREFROM THE FOLLOWING:

A parcel of land situated in the N1/2 of the N1/2 of Section 3, being more particularly described as follows:

Beginning at a point which bears North 89° 10' 48" West 60.00 feet from the N1/4 corner of said Section 3; thence South 01° 12' 43" East 699.28 feet to the North line of Eagle Ridge Road; thence along the North line of Eagle Ridge Road 152.28 feet along the arc of a 307.03 feet radius curve to the left, the long chord of which bears North 43° 46' 29" East 150.73 feet and having a delta angle of 28° 25' 04"; thence 307.71 feet along the arc of a 480.00 foot radius curve to the right, the long chord of which bears North 47° 55' 52" East 302.47 feet and having a delta angle of 36° 43' 51"; thence 64.33 feet along the arc of a 110.00 radius curve to the right, the long chord of which bears North 83° 03' 05" East 63.42 feet and having a delta angle 33° 30' 36"; thence leaving the North line of Eagle Ridge Road North 00° 09' 31" East 374.12 feet to a point on the North line of said Section 3; thence along the North line of said Section 3 at a bearing of North 89° 10' 48" West 407.63 feet to the point of beginning; with bearings based on County Survey No. 6076.

Section 4: That portion of Government Lot 6 and the SE1/4 SE1/4 lying Easterly of a straight line extending Southwesterly from the Northeast corner of said Government Lot 6 to the Southwest corner of the SE1/4 SE1/4

Section 9: That portion of the E1/2 E1/2 lying Northerly of that portion described in Deed to the State of Oregon, by and through its Department of Transportation, recorded September 22, 2003 in Volume M03, page 70477, Microfilm Records of Klamath County, Oregon.

Section 10: That portion lying Northerly of that portion described in Deed to the State of Oregon, by and through its Department of Transportation, recorded September 22, 2003 in Volume M03, page 70477, Microfilm Records of Klamath County, Oregon.

Section 11: N1/2; SW1/4; W1/2 SE1/4

Section 12: All

Section 13: All

Section 14: NW1/4 NE1/4; S1/2 NE1/4; NW1/4; N1/2 SW1/4; that portion of SW1/4 SW1/4 lying Northerly of that portion described in Deed to the State of Oregon, by and through its Department of Transportation, recorded September 22, 2003 in Volume M03, page 70477, Microfilm Records of Klamath County, Oregon; SE1/4 SW1/4; SE1/4

Section 15: That portion lying Northerly of that portion described in Deed to the State of Oregon, by and through its Department of Transportation, recorded September 22, 2003 in Volume M03, page 70477, Microfilm Records of Klamath County, Oregon.

Section 23: That portion lying Northerly of that portion described in Deed to the State of Oregon, by and through its Department of Transportation, recorded September 22, 2003 in Volume M03, page 70477, Microfilm Records of Klamath County, Oregon.

Section 24: Government Lots 1, 2, 3, 4 and 5; E1/2 NW1/4; W1/2 W1/2

Section 25: That portion of Government Lots 1 and 2 and NW1/4 NW1/4 lying Northerly of that portion described in Deed to the State of Oregon, by and through its Department of Transportation, recorded September 22, 2003 in Volume M03, page 70477, Microfilm Records of Klamath County, Oregon.

Section 26: That portion of NE1/4 NE1/4 lying Northerly of that portion described in Deed to the State of Oregon, by and through its Department of Transportation, recorded September 22, 2003 in Volume M03, page 70477, Microfilm Records of Klamath County, Oregon.

Township 37 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon:

Section 6: Government Lots 3 and 4; SW1/4 SW1/4

Section 7: Government Lots 1 and 2; W1/2; SW1/4 NE1/4; SE1/4

Section 8: Government Lots 1, 2 and 3; SW1/4 SW1/4; LESS portions South of mean high water line of Upper Klamath Lake and LESS Tract described in Volume M96, page 25715, Microfilm Records of Klamath County, Oregon.

Section 17: A portion of Government Lots 1 and 2 LESS portions South of mean high water line of Upper Klamath Lake and LESS Tract described in Volume M96, page 25715, Microfilm Records of Klamath County, Oregon.

Section 18: Government Lots 1, 2 3 and 4 lying North of mean high water line of Upper Klamath Lake; ANW1/4 SW1/4; S1/2 NW1/4; N1/2 N1/2

Section 19: Government Lot 1

## EXHIBIT B

(Exceptions to Title)

1. Rights of the public and government bodies in and to that portion of the Property now or at any time lying below the high water line of Klamath Lake, including any ownership rights which may be claimed by the State of Oregon a to any portion now or at any time lying below the ordinary high water line.

Such rights and easements for navigation and fishing as may exists over that portion of the Property now or at any time lying beneath the waters of Klamath Lake.

All matters arising from any shifting in the course of Klamath Lake including but not limited to accretion, reliction and avulsion.

2. The provisions contained in a warranty deed recorded April 29, 1907 in Book 22, Page 401.
3. The provisions contained in a quit claim deed recorded May 9, 1907 in Book 22, Page 430.
4. Reservation of oil, gas, minerals or other mineral rights, including the terms and provisions contained in the deed from the Long Bell Lumber Company recorded December 30, 1927 in Book 79, Page 282. Statement of Claim subject to the terms and provisions thereof, recorded August 5, 1983 at M86, Page 13766.
5. An easement including the terms thereof affecting a portion of the Property and for the purposes stated therein as set forth in an instrument granted to the California Oregon Power Company recorded October 1, 1937 in Volume 112, Page 233.
6. An easement including the terms and provisions thereof affecting a portion of the Property and for the purposes stated therein as set forth in an instrument granted to the California Oregon Power Company recorded October 16, 1941 in Volume 141, Page 619.
7. A road use easement, including the terms and provisions thereof dated May 6, 1965 and recorded May 7, 1965 in Volume 361, Page 284, between Charles A. Curtiss and Doris Quist Curtiss and Marjorie N. Lamoreaux.
8. A road use easement, including the terms and provisions thereof recorded June 16, 1966 in M66, Page 06097, granted to Charles A. Curtiss and Doris Quist Curtiss.
9. An easement including the terms thereof affecting a portion of the Property and for the purposes stated therein as set forth in an instrument granted to Klamath County recorded December 14, 1966 in M66, Page 12443.

## **EXHIBIT B**

(continued)

10. Submerged and Submersible Lands Lease, including the terms and provisions thereof recorded January 17, 1978 in M78, Page 01081 between The State of Oregon acting by and through the Division of State Lands and APG Company. Amendment Agreement ML1016 recorded April 26, 1984 at M84, Page 06859, Second Lease Amendment recorded April 26, 1984 at M84, Page 06863, and Third Lease Amendment recorded August 23, 1989 at M89, Page 15748.
11. An easement including the terms thereof affecting a portion of the Property and for the purposes stated therein as set forth in an instrument granted to Jeld-Wen, Inc., recorded January 10, 1986 at M86, Page 00560. An Easement Supplement dated January 23, 1996 and recorded March 1, 1996 at M96, Page 05753, and Easement Supplement dated January 23, 1996 and recorded May 16, 1996 at M96, Page 14259.
12. Provisions in a warranty deed recorded August 27, 1996 at M96, Page 26858.
13. Agreement for Easement, dated April 3, 1997 and recorded April 4, 1997 at M97, Page 10045 between U.S. Timberlands Klamath Falls, LLC and The Nature Conservancy.

[From AmeriTitle Title Report, Report No. 4, File No. 266669AM  
dated October 21, 2022]