

QUITCLAIM DEED

THE GRANTOR, STATE OF WASHINGTON, in consideration of the conveyance by Burlington Northern Inc., a Delaware Corporation, of real property of equal value as authorized and approved by Resolution No. 260 adopted by the Board of Natural Resources, State of Washington, on the 9th day of August, 1979, hereby conveys and quitclaims to BURLINGTON NORTHERN INC., GRANTEE the real property situated in Skamania County, State of Washington to wit:

| Parcel No. | Section | Subdivision |
|------------|---------|-------------|
|------------|---------|-------------|

IN TOWNSHIP 7 NORTH, RANGE 6 EAST, W.M.

| | | |
|---|----|---|
| 1 | 16 | All |
| 2 | 20 | All |
| 3 | 28 | N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$ except those portions of the S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 7 North, Range 6 East, W.M., included within the limits of two tracts described as follows: |

Beginning at a point on the west line of said Section 28 which is S 0°16'55" E 1,674.98 feet from the west quarter section corner thereof and running thence S 25°37' E 498.22 feet, thence S 47°34'30" E 595.58, thence N 59°33'30" E 240.47 feet, thence S 40°26' E 296.84 feet, thence S 89°49'45" W 1,050.02 feet to the southwest corner of said Section 28 and thence N 0°16'55" W 958.19 feet to the point of beginning, containing an area of 8.64 acres; also

Beginning at a point on the south line of said Section 28 which is N 8°49'45" E 2,006.72 feet from the southwest corner thereof, and running thence N 78°19'30" E 237.50 feet, thence N 33°23' E 235.01 feet, thence N 63°23' E 464.47 feet, thence N 21°05'30" E 360.93 feet, thence W 17°30'30" E 212.97 feet, thence N 57°42' E 110.31 feet, thence S 16°09'30" E 375.99 feet, thence S 10°31'30" E 336.26 feet, thence S 31°11' W 416.74 feet to a point on the south line of said Section 28 which is S 89°52'30" W 2,259.98 feet from the southeast corner thereof, thence S 89°52'30" W 380.01 feet to the south quarter corner of said Section 28 and thence S 89°49'45" W 634.99 feet to the point of beginning, containing an area of 13.21 acres.

The above described tracts contain a total area of 21.85 acres, as shown on the plat thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington, filed under Application No. 23633.

The lands described herein contain 1,838.15 acres, more or less, according to the government survey thereof.

SUBJECT TO THE FOLLOWING:

- Easement for right of way on E $\frac{1}{2}$ NE $\frac{1}{4}$, granted to International Paper Company for an indefinite term under Supplemental Application No. 27427, on file with the Department of Natural Resources, Olympia, Washington. Affects Parcel No. 1.



7523

No. _____
TRANSACTION EXCISE TAX

MAY 22 1980

Amount Paid _____

Skamania County Treasurer

By _____

- B. Swift Creek Agreement Area No. 9, entered into between the U. S. Forest Service, Gifford Pinchot National Forest and the Department of Natural Resources.
Affects Parcel No. 1, 2 & 3.
- C. Easement for right of way on the SW $\frac{1}{4}$ SW $\frac{1}{4}$, granted International Paper Company for an indefinite term under Application No. 38975, on file with the Department of Natural Resources, Olympia, Washington.
Affects Parcel No. 2.
- D. Easement for right of way on SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ to Pacific Power and Light Company, and assigned to U. S. Forest Service, for an indefinite term under Application No. 24878, on file with the Department of Natural Resources, Olympia, Washington.
Affects Parcel No. 3.
- E. A reservation for the right to sell and remove all remaining timber sold under Timber Bill of Sale No. 39757.
Affects Parcel No. 2.
- F. A reservation for five (5) years from the date the exchange is completed to sell all merchantable timber, filed under Department of Natural Resources Application Nos. 41839, 41840, 42260, 42730, 42731, 42732, 42733 and 42734. If in the event the said timber sales are not removed during the contract period and an extension of time for removal is necessary the standard State of Washington extension fee for loss of land productivity will be paid directly to Burlington Northern by the purchaser of said timber sales.
Affects Parcel Nos. 1, 2 and 3.
- G. Easement for right of way for road granted by the United States of America, Forest Service to Department of Natural Resources recorded under Auditor's File No. 71966, Book 61, pages 593 thru 599.
Affects Parcel No. 3.
- H. The Grantor, State of Washington, hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its successors, and assigns forever, all oils, gases, coal, ores, minerals and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals and fossils; and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its successors and assigns forever, the right to enter by itself, its agents, attorneys and servants upon said lands, or any part or parts thereof, at any and all times, for the purpose of opening, developing and working mines thereon, and taking out and removing therefrom all such oils, gases, coal, ores, minerals and fossils, and to that end it further expressly reserves out of the grant hereby made, unto its successors and assigns, forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain and use all such buildings, machinery, roads and railroads, sink such shafts, remove such soil, and to remain on said lands or any part thereof for the business of mining and to occupy as much of said lands as may be necessary or convenient for the successful prosecution of such mining business, hereby expressly reserving to itself, its successors and assigns, as aforesaid, generally, all rights and powers in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and the rights hereby expressly reserved.
- I. The rights shall be exercised under the foregoing reservation, by the State, its successors or assigns, until provisions has been made by the State, its successors or assigns, to pay to the owner of the land upon which the rights herein reserved to the State, its successors or assigns, are sought to be exercised, full payment for all damages sustained by said owner, by reason of entering upon said land: PROVIDED, that if said owner from any cause whatever refuses or neglects to settle said damages, then the State, its successors or assigns, or any applicant for a lease or contract from the State for the purpose of prospecting for or mining valuable minerals, or option contract, or lease, for mining coal, or lease for extracting petroleum or natural gas, shall have the right to institute such legal proceedings in the Superior Court of the county wherein the land is situate, as may be necessary to determine the damages which said owner of said land may suffer.

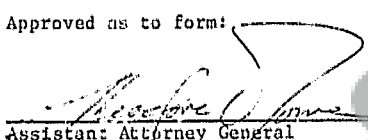
This Deed is executed and delivered pursuant to RCW 76.12.050 - 76.12.065 and RCW 79.08.180 - 79.08.200 at the request of the Commissioner of Public Lands with the approval of the Board of Natural Resources, State of Washington.

WITNESS the Seal of the State of Washington, affixed this 5th day of May, 19 80.


GOVERNOR


ATTEST Robert E. Wash
Assistant Secretary of State

Approved as to form:


Assistant Attorney General

State Record of Deeds, Volume 11 Page 441.

DNK Exchange No. 173

Deed No. 26941

90793

I HEREBY CERTIFY THAT THE WITHIN

INSTRUMENT OF WRITING, FILED BY _____

OF _____

AT _____ 19__

TO _____

BY _____

IN AND FOR _____ COUNTY, WASH.

COUNTY AUDITOR

| |
|----------|
| INDEXED |
| RECORDED |
| FILED |
| MAILED |

State of Washington) ss
County of Thurston)

I, DONALD F. MCKAY, Records Officer for
BERT L. COLE, Commissioner of Public Lands of the
State of Washington and ex officio Administrator of
the Department of Natural Resources for the State
of Washington, do hereby certify that the foregoing
instrument is a true and correct copy of the origi-
nal thereof on file in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand
and affixed the seal of the Commissioner of Public
Lands, this 15th day of May, A.D. 1960

Donald F. McKay
DONALD F. MCKAY
Office Manager and Records Officer
Department of Natural Resources