

WHEN RECORDED MAIL TO:

USDA Forest Service
Columbia River Gorge NSA
902 Wasco Avenue, Suite 200
Hood River, OR 97031

MAIL TAX STATEMENTS TO:

USDA Forest Service
Columbia River Gorge NSA
902 Wasco Avenue, Suite 200
Hood River, OR 97031

2148

BLM Serial No. OR 50342 (WA)
GIP No. 122 (CRGNSA)

123496

WARRANTY DEED

BOOK 152 PAGE 873

S.D.S. CO., a partnership of the State of Washington, Grantor, formerly known as S.D.S. Lumber Co., for and in consideration of National Forest System land under the provisions of Sec. 9 of the COLUMBIA RIVER GORGE NATIONAL SCENIC AREA ACT of November 17, 1986 (100 Stat. 4274; 16 USC 544g), for and in consideration of an exchange of National Forest System land, the receipt of which is hereby acknowledged, does hereby convey and warrant unto the UNITED STATES OF AMERICA Grantee, and its assigns, all of the following described real property in the Counties of Skamania and Klickitat, State of Washington, free of encumbrances except as specifically set forth herein:

Willamette Meridian, Washington

SKAMANIA COUNTY

Acres

T. 2 N., R. 6 E.,
sec. 26, SE1/4NW1/4.

40.00

T. 2 N., R. 7 E.,
sec. 18, SE1/4NW1/4, E1/2SW1/4, and SW1/4SE1/4.

160.00

T. 3 N., R. 8 E.,

sec. 14, SW1/4SW1/4 and SW1/4SE1/4; EXCEPT that portion lying West of the paved county road known as Berge Road, as said road was located June 20, 1961.

78.50

sec. 23, N1/2NE1/4; EXCEPT that portion described as follows:

Beginning at a point 1320 feet East of the Northwest corner of the Southwest quarter of the Northeast quarter of said section 23; thence East 43.5 feet; thence North 27° East 256.7 feet; thence North 26° 30' West 51.5 feet; thence North 87° West 130.7 feet; thence South 59° West 54.8 feet; thence South 17° West 264.7 feet; thence East 118.14 feet to the point of beginning.

78.50

FILED FOR RECORD
SKAMANIA CO. WASH
BY SKAMANIA CO. TITLE

OCT 11 2 46 PM '95

GARY M. OLSON
AUDITOR

17680

REAL ESTATE EXCISE TAX

Page 1 of 6

OCT 11 1995

PAID except
SW

Registered
S.D.S. CO. ☒
Hood River ☒
Title ☒
Filed ☒

Checked as to consideration, acreage, description and conditions. Dated
the 5th day of October, 1995
Douglas M. Gingle
County Auditor

sec. 36, Portion of SE1/4 described as follows:

All that portion of the James M. Findley D.L.C. lying Northerly of Primary State Highway No. 8 and Westerly of County Road No. 3040, designated as the Bergen Road; EXCEPT the West 660 feet of said D.L.C.; AND EXCEPT a tract of land conveyed to the State of Washington by deed dated March 4, 1938, and recorded April 27, 1938, in Book 27, page 47, Skamania County Deed Records; ALSO EXCEPT: Beginning at a point marking the intersection of the Northerly line of Primary State Highway No. 8 with the West line of the tract of land conveyed to Harold W. McNeel by deed dated September 30, 1949, and recorded in Book 32, page 560, Skamania County Deed Records; thence South 61° 51' East 560 feet to a point on the Northerly line of said Highway and the true point of beginning of the tract of land to be excepted herein; thence North 25° East 240 feet; thence South 65° East 350 feet; thence South 25° West to the Northerly line of said Highway; thence in a Northwesterly direction following the Northerly line of said Highway to the true point of beginning.

88.91

TOGETHER WITH a non-exclusive easement for ingress and egress over and across rights-of-way acquired by S.D.S. Co. for the following roads: (Appurtenant Easements)

1. EASEMENT AGREEMENT, between S.D.S. Company, a partnership, Longview Fibre Company, a Delaware corporation, and State of Washington, acting by and through the Department of Natural Resources, dated November 7, 1984, and recorded December 10, 1984, in Vol. 229, Page 67-96, in Klickitat County, and recorded November 26, 1984, in Book 84, Page 98, in Skamania County. (Easement granted to S.D.S. Co. by Longview Fibre Company, over and across only the NE1/4NW1/4 of sec. 23, T. 3 N., R. 8 E., W.M., as noted on Exhibit B-3 of said Easement Agreement.)
2. Easement from William F. Larson, dated April 28, 1982, and recorded May 4, 1982, in Book 81, Page 111-113, in Skamania County. (Over and across SE1/4SW1/4 sec. 14, T. 3 N., R. 8 E., W.M.).

KLICKITAT COUNTY

T. 3 N., R. 11 E.,

sec. 2,	W1/2 of lot 3; lot 4, EXCEPT, Beginning at the Northwest corner of said lot 4; thence South to the Southwest corner of said lot 4; thence East along the South line of said lot 4, a distance of 820 feet; thence Northwesterly to a point on the North line of said lot 4, which is 500 feet East of the Northwest corner thereof; thence West on said North line, 500 feet to the point of beginning; and SE1/4NW1/4; EXCEPTING THEREFROM, those portions of said lots 3, 4, and SE1/4NW1/4 of said sec. 2 described in Declaration of Taking, recorded April 10, 1939, in Book 78, page 611, Klickitat County Deed Records.	71.38
sec. 14,	N1/2SW1/4, N1/2SW1/4SW1/4, N1/2SE1/4SW1/4SW1/4, SE1/4SE1/4SW1/4SW1/4, and SE1/4SW1/4;	147.50
sec. 15,	N1/2SE1/4, and N1/2N1/2S1/2SE1/4;	100.00
sec. 23,	N1/2NE1/4NW1/4, SE1/4NE1/4NW1/4, and E1/2E1/2SE1/4NW1/4;	40.00
sec. 27,	N1/2NE1/4NE1/4 and SE1/4NW1/4.	60.00

T. 4 N., R. 12 E.,

sec. 30,	E1/2SW1/4.	80.00
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The area described contains 944.79 acres, more or less.

EXCEPTING AND RESERVING UNTO S.D.S. CO., its successors and assigns, from the lands so granted, a non-exclusive easement for existing roads as set out below and shown approximately on the attached Exhibit A, consisting of 1 Sheet. Such easement being 40 feet in width, as existing on the ground, with such reasonable rights of temporary use of lands immediately adjacent to said right-of-way as may be necessary for maintenance and/or repair of said roads.

No Name Road - Beginning at a point on the north line of the SE1/4 of sec. 15, T. 3 N., R. 11 E., W.M., approximately 900 feet east of the NW1/4 corner of said SE1/4 of sec. 15; thence, over and across the N1/2SE1/4 of said sec. 15, in a southwesterly direction, approximately 0.75 miles, to a point on the west line of the SE1/4 of sec. 15, T. 3 N., R. 11 E., W.M., which point is approximately 660 feet south of the NW1/4 corner said SE1/4 of sec. 15.

The right reserved is limited to S.D.S. Co., its successors and assigns, for access to its property in the NE1/4 of sec. 15, T. 3 N., R. 11 E., W.M., for all purposes deemed necessary or desirable in connection with the protection, administration, management and utilization of its land and resources, now or hereafter owned or controlled, and served by these roads, subject to the traffic control regulations and rules of the United States of America, except that no other present or any future administrative rules or regulations shall reduce the rights herein.

The above Reservation is made subject to the Secretary of Agriculture's Rules and Regulations CFR 251.17, attached hereto as Exhibit B, consisting of 1 Sheet, and the terms, provisions and conditions thereof are applicable to SDS Co., its successors, assigns, permittees and contractors, except that no other present or any future administrative rules or regulations shall reduce the rights herein.

SUBJECT TO: (Outstanding Rights)

1. Easement for Electric Transmission Line, including the terms and provisions thereof, in favor of Northwestern Electric Company, dated February 17, 1913, recorded March 20, 1913, in Book O, page 266, Skamania County Deed Records. (Affects that portion in Sec. 36, T. 3 N., R. 8 E., W.M.)
2. Reservation of all mineral rights, including the terms and provisions thereof, as reserved in deed from the State of Washington to A. L. Orsen, dated July 14, 1920, recorded August 15, 1922, in Book T, page 14, Skamania County Deed Records. (Affects that portion in Sec. 26, T. 2 N., R. 6 E., W.M.)
3. Right of Way for Flume, including the terms and provisions thereof, in favor of The Diamond "L" Lumber Co., by instrument, dated March 12, 1924, recorded March 14, 1924, in Book T, page 517, Skamania County Deed Records. (Affects that portion in Sec. 26, T. 2 N., R. 6 E., W.M.)
4. Right of Way for Logging Railroad, including the terms and provisions thereof, as disclosed by deed, dated August 21, 1923, recorded March 22, 1927, in Book V, page 239, Skamania County Deed Records. (Affects that portion in SW1/4SE1/4, Sec. 18, T. 2 N., R. 7 E., W.M.)
5. Right of Way for Road along the west side of the SW1/4SW1/4 of sec. 14, T. 3 N., R. 8 E., W.M., as reserved in deed from Frank Birkenfeld, et ux., dated September 25, 1937, recorded October 4, 1937, as Auditor's File No. 24756, Skamania County Deed Records.
6. Flowage Easement including the terms and provisions thereof, in favor of the United States of America, dated September 10, 1937, recorded June 23, 1938, in Book 27, page 114, Auditor's File No. 26028, Skamania County Deed Records. (Affects that portion in Sec. 36, T. 3 N., R. 8 E., W.M.)
7. Mineral Reservations, including the right of surface entry, including the terms and provisions thereof, as contained in deed from Oregon-Washington Railroad & Navigation Company to Union Pacific Railroad Company, dated September 30, 1949, recorded November 3, 1949, in Book 32, page 554, Auditor's File No. 40047, Skamania County Deed Records and as contained in deed from Union Pacific Railroad Company to Harold W. McNeal, dated September 30, 1949, recorded November 7, 1949, in Book 32, page 560, Auditor's File No. 40065, Skamania County Deed Records. (Affects that portion in Section 36, T. 3 N., R. 8 E., W.M.)
8. Right to construct highways on and through that portion lying in the SW1/4SE1/4 of Sec. 18, T. 2 N., R. 7 E., W.M., as reserved in deed from Skamania County to J. A. Robbins, dated December 19, 1949, recorded December 19, 1949, in Book 32, page 595, Skamania County Deed Records.

9. Right of Skamania County to construct highways on and through that portion lying in Section 26, T. 2 N., R. 6 E., W.M., as disclosed by deed to S.D.S. Lumber Company, dated April 16, 1952, recorded March 9, 1959, in Book 46, page 7, Skamania County Deed Records.
10. Access Road Easement, including the terms and provisions thereof, in favor of the United States of America, dated November 18, 1953, recorded December 6, 1953, in Book 37, page 334, Auditor's File No. 46298, Skamania County Deed Records. (Affects the SW1/4SE1/4, Sec. 14, T. 3 N., R. 8 E., W.M.)
11. Access Road Easement, including the terms and provisions thereof, in favor of the United States of America, dated January 21, 1954, recorded February 8, 1954, in Book 37, page 469, Auditor's File No. 46539, Skamania County Deed Records. (Affects that portion in Sec. 18, T. 2 N., R. 7 E., W.M.)
12. Right of Way Easement, including the terms and provisions thereof, in favor of Pacific Power & Light Company, dated June 22, 1955, recorded August 8, 1955, in Book 40, page 46, Skamania County Deed Records. (Affects that portion in Sec. 36, T. 3 N., R. 8 E., W.M.)
13. Right of Way Contract, including the terms and provisions thereof, in favor of Pacific Northwest Pipeline Corporation, dated October 12, 1955, recorded January 4, 1956, in Book 40, page 409, Auditor's File No. 49802, Skamania County Deed Records. (Affects that portion in Sec. 23, T. 3 N., R. 8 E., W.M.)
14. Right of Way Contract, including the terms and provisions thereof, in favor of Pacific Northwest Pipeline Corporation, dated November 30, 1955, recorded May 22, 1956, in Book 41, page 492, Auditor's File No. 50580, Skamania County Deed Records, as amended by instrument, dated September 30, 1957, recorded January 9, 1958, in Book 44, page 272, Auditor's File No. 53158, Skamania County Deed Records. (Affects SW1/4SE1/4, Sec. 14, T. 3 N., R. 8 E., W.M.)
15. Reservations of Easement and Rights of Way for water pipelines, including the terms and provisions thereof, as contained in contract between Harold W. McNeel, et ux., to Dale Eugene Collins, et vx., dated April 30, 1960, recorded May 3, 1960, in Book 47, page 174, Skamania County Deed Records, and as contained in Fulfillment Deed, dated May 25, 1962, recorded July 1, 1963, in Book 51, page 396, Skamania County Deed Records. (Affects that portion in sec. 36, T. 3 N., R. 8 E., W.M.)
16. Terms and provisions of an appurtenant easement given by Victor M. Anderson, et ux., to S.D.S. Co., dated May 12, 1961, recorded May 23, 1961, in Book 48, page 479, Skamania County Deed Records. (Affects that portion in Sec. 23, T. 3 N., R. 8 E., W.M.)
17. Reservation of a permanent nonexclusive easement for ingress, egress and utilities over the Gilbert County Road and over any existing logging roads on the above property, including the terms and provisions thereof, as contained in contract, dated June 14, 1972, recorded June 16, 1972, in Book 158, page 679, Auditor's File No. 142485, Klickitat County Deed Records. (Affects that portion in the N1/2NE1/4NE1/4, Sec. 27, T. 3 N., R. 11 E., W.M.)

18. Easement, including the terms and provisions thereof, between William F. Larson and S.D.S. Company, a partnership, dated April 28, 1982, recorded May 4, 1982, in Book 81, page 111, Auditor's File No. 93915, Skamania County Deed Records. (Affects the SW1/4SW1/4, Sec. 14, T. 3 N., R. 8 E., W.M.)
19. Easement, including the terms and provisions thereof, between S.D.S. Company, a partnership, Longview Fibre Company and the State of Washington, dated November 7, 1984, recorded November 26, 1984, in Book 84, page 98, Auditor's File No. 98520, Skamania County Deed Records, as amended by Easement Supplement, dated June 12, 1985, recorded June 24, 1985, in Book 84, page 656, Auditor's File No. 99430, and as corrected by instrument, dated August 23, 1985, recorded October 15, 1985, in Book 85, page 185, Auditor's File No. 100126, Skamania County Deed Records. (Affects Sec. 18, T. 2 N., R. 7 E., W.M., and Sec. 23, T. 3 N., R. 8 E., W.M.)

The acquiring agency is the Forest Service, U.S. Department of Agriculture.

Dated this 3rd day of October, 1995.

S.D.S. CO., a Partnership

By Bruce R. Stevenson, Partner

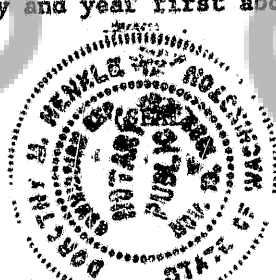
By John L. Cheney, Partner

ACKNOWLEDGMENT

STATE OF Washington ss.
County of Stikine


On this 3rd day of October, 1995, before me the undersigned, a Notary Public in and for the State of Washington, personally appeared Bruce R. Stevenson and John L. Cheney, who being first duly sworn, did say that they are partners of the S.D.S. Co. Partnership, and that said instrument was signed and sealed in behalf of said Partnership by authority of the partnership bylaws, and they acknowledged said instrument to be its voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



David L. Handberg
Notary Public for the State of Washington
Residing at White Salmon
My commission expires 12-31-98

BOOK 152 PAGE 879



Killickit County, Washington
T. 3 N., R. 11 E., W.M.
NW1/4SE1/4 Section 15

WHITE SALMON QUADRANGLE
WASHINGTON--OREGON
7.5 MINUTE SERIES (TOPOGRAPHIC)
NW/4 WHITE SALMON 15' QUADRANGLE

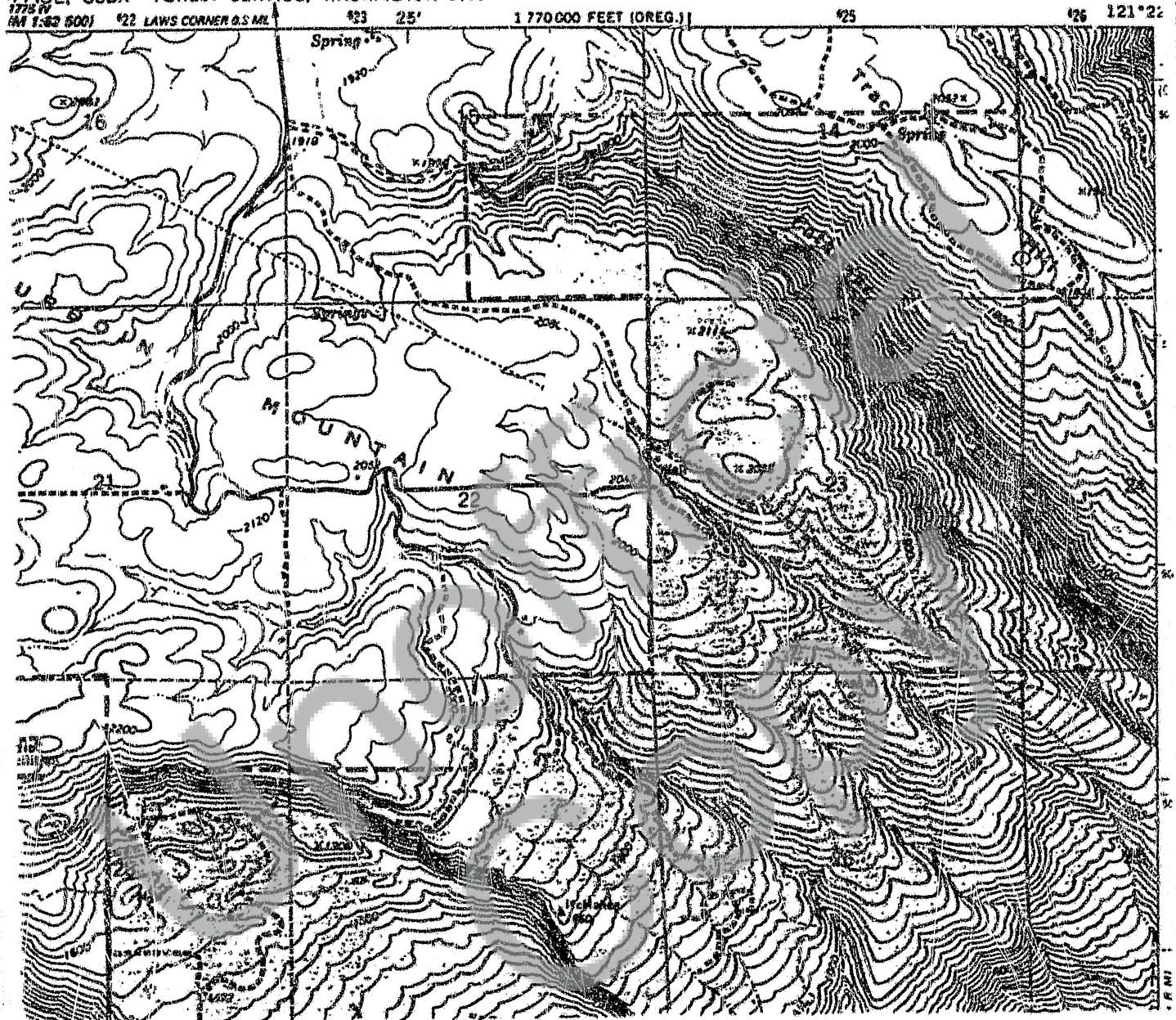


EXHIBIT "A"
Sheet 1 of 1

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICERULES AND REGULATIONS OF THE SECRETARY OF AGRICULTURE
GOVERNING THE GRANTOR'S RIGHT TO OCCUPY AND USE
LANDS CONVEYED TO THE UNITED STATES

Code of Federal Regulations - Title 36 - Chapter II - Section 251.17

Except as otherwise provided in paragraph (b) of this section, in conveyances of lands to the United States under authorized programs of the Forest Service, when owners reserve the right to occupy and use the land for the purposes of residence, agriculture, industry, or commerce, said reservations shall be subject to the following conditions, rules and regulations which shall be expressed in and made a part of the deed of conveyance to the United States and such reservations shall be exercised thereunder and in obedience thereto:

(a) Except when provided otherwise by statute, the reservation so created shall not be assigned, used, or occupied by anyone other than the grantor without the consent of the United States.

(b) All reasonable precautions shall be taken by the grantor and all persons acting for or claiming under him to prevent and suppress forest fires upon or threatening the premises or other adjacent lands of the United States, and any persons failing to comply with this requirement shall be responsible for any damages sustained by the United States by reason thereof.

(c) The premises shall not be used or permitted to be used without the written consent of the United States, for any purpose or purposes other than those specified in the instrument creating the reservation.

(d) The grantor and all persons acting for or claiming under him shall maintain the premises and all buildings and structures thereon in proper repair and sanitation and shall comply with the National Forest laws and regulations and the laws and lawful orders of the State in which the premises are located.

(e) Except when provided otherwise by statute, the reservation shall terminate (1) upon the expiration of the period named in the deed; (2) upon failure for a period of more than one calendar year to use and occupy the premises for the purposes named in the deed; (3) by use and occupancy for unlawful purposes or for purposes other than those specified in the deed; and (4) by voluntary written relinquishment by the owner.

(f) Upon the termination of the reservation the owners of personal property remaining on the premises shall remove same within a period of three months, and all such property not so removed shall become the property of the United States except that when such removal is prevented by conditions beyond the control of the owners the period shall be extended in writing

by the Forest Service to allow a reasonable time for said removal, but in no event longer than one year.

(g) The said reservation shall be subject to rights-of-way for the use of the United States or its permittees, upon, across, or through the said land, as may hereafter be required for the erection, construction, maintenance, and operation of public utility systems over all or parts thereof, or for the construction and maintenance of any improvements necessary for the good administration and protection of the National Forests, and shall be subject to the right of officials or employees of the Forest Service to inspect the premises, or any part thereof, at all reasonable times and as often as deemed necessary in the performance of official duties in respect to the premises.

(h) The conditions, rules and regulations set forth in paragraphs (a) through (g) of this section shall not apply to reservations contained in conveyances of lands to the United States under the act of March 3, 1925, as amended (43 Stat. 1139, 84 Stat. 82; 16 U.S.C. 555).

All regulations heretofore issued by the Secretary of Agriculture to govern the exercise of occupancy and use rights reserved in conveyances of lands to the United States under authorized programs of the Forest Service shall continue to be effective in the cases to which they are applicable, but are hereby superseded as to occupancy and use rights hereafter reserved in conveyances under such programs.

(36 Stat. 961, as amended, 16 U.S.C. 513-519, 42 Stat. 465, as amended, 16 U.S.C. 485, 486, and 50 Stat. 525, as amended, 7 U.S.C. 1011, and 70 Stat. 1034, 7 U.S.C. 426a, 78 Stat. 890, 16 U.S.C. 1131-1136; 79 Stat. 243, 16 U.S.C. 460p-460p-5; 78 Stat. 1295, 16 U.S.C. 460q-460q-9; 80 Stat. 190, 16 U.S.C. 460r-460r-5; 82 Stat. 904, 16 U.S.C. 460v-460v-8; 82 Stat. 919, 16 U.S.C. 1241-1249 and 82 Stat. 908, 16 U.S.C. 1271-1267)

Done at Washington, D.C., this 30th day of December 1970.

T. K. COWDEN,
Assistant Secretary of Agriculture.

(F.R. Doc. 71-132; Filed, Jan. 5, 1971;
8:49 a.m.)

3400-33 (7-73)

EXHIBIT "B"

Sheet 1 of 1