

130057

BOOK 171 PAGE 856

FILED FOR RECORD
SKAMANIA CO. WASH
BY *Clark Co. Title*

Dec 22 1 57 PM '97

O'Leary
AUCTION
GARY N. OLSON

WHEN RECORDED MAIL TO:

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

MAIL TAX STATEMENT TO:

Joseph A. Birkenfeld & William J.
& Mary Lee Birkenfeld Trust
c/o Haglund & Kirtley
101 S.W. Main, Suite 1800
Portland, Oregon 97204

DOCUMENT TITLE:

Warranty Deed

Gary H. Martin, Skamania County Assessor

Date 12-22-97 Parcel # 2-6-1004200
Estim 4 2-7-600

GRANTOR:

Joseph A. Birkenfeld, and the William J. Birkenfeld
Mary Lee Birkenfeld Charitable Remainder Unitrust
c/o Haglund & Kirtley
101 S.W. Main, Suite 1800
Portland, Oregon 97204

GRANTEE:

United States of America
USDA Forest Service, CRGNSA
902 Wasco Avenue, Suite 200
Hood River, Oregon 97031

REAL ESTATE EXCISE TAX

19220

DEC 21 1997

PAID Exempt

Jim

SKAMANIA COUNTY TREASURER

Sec 1, T2N, R6E lying South of the BPA Riverline
Right of Way

Sec 6, T2N, R7E, Gov Lots 3, 4, 5, 6 & 7

1

See page 3 for
complete legal

MSN\mgmk3082

ABBREVIATED LEGAL DESCRIPTION AS FOLLOWS:

T.2N., R.6E.

sec. 1, all that portion lying South of the BPA powerline right-of way.

T.2N., R.7E.

sec. 6, Government Lots 3, 4, 5, 6, and 7.

Complete legal description is on page 2 of document.

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER(S):

02 06 00 000 100 00
02 06 00 000 200 00
02 07 00 000 600 00

REFERENCE NUMBER OF DOCUMENTS ASSIGNED OR RELEASED:

Gary H. Martin, Skamania County Assessor

Date 12-22-97 Parcel # 2-6-100 & 200
2-7-600

[Signature]

CRGNSA/GIP No. 212-B

WARRANTY DEED

JOSEPH A. BIRKENFELD, a married person, as his separate estate, as to an undivided half interest, and WILLIAM J. BIRKENFELD AND MARY LEE BIRKENFELD, TRUSTEES OF THE CHARITABLE REMAINDER UNITRUST, created by agreement dated May 7, 1996, as to the remainder, all of Carson, Washington, Grantor, for the true and actual consideration of SIX MILLION TWO HUNDRED THIRTY FOUR THOUSAND, THREE HUNDRED TWENTY TWO DOLLARS (\$6,234,322), paid by Grantee pursuant to the General Exchange Act of March 20, 1922 (42 Stat. 465, as amended; 16 U.S.C. 485, 486) and the Act of October 21, 1976 (90 Stat. 2743; 43 U.S.C. 1715, 1716, 1717), as amended, 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 situate in the County of Skamania, State of Washington.

Willamette Meridian

T.2N., R.6E.

sec. 1, all that portion lying South of the BPA powerline right-of-way.

T.2N., R.7 E.

Gary H. Martin, Skamania County Assessor

Date 12-22-97 Parcel # 2-6-1804200
42-7-600

sec. 6, Government Lots 3, 4, 5, 6, and 7.

The areas described aggregate 700.37 acres, more or less.

SUBJECT TO:

1.) Logging Road/Mineral Rights Access Reservation (outstanding mineral rights have been extinguished, recorded August 5, 1997, at Book 167, Page 906), and its terms and conditions, in favor of Marie H. Kelly and Matthew D. Kelly, dated August 17, 1912, and recorded at Book O, Page 90, on September 23, 1912, and also at Book V, Page 171, dated January 22, 1927, and recorded on January 25, 1927, Skamania County Deed Records. (Affects land in Sections 1 and 6).

2.) Road/Mineral Rights Access Reservation (outstanding mineral rights have been extinguished, recorded August 5, 1997, at Book 167, Page 906) and Railroad/Road Easement, and its terms and conditions, in favor of Greenleaf Lumber Company and James L. Conley, dated October 14, 1925, and recorded at

Book U, Page 582, on April 13, 1926, Skamania County Deed Records. (Affects land in Sections 1 and 6).

- 3.) Logging Road/Railroad Easement, and its terms and conditions, in favor of Columbia River Timber Company, dated September 8, 1927, and recorded at Book V, Page 387, Recording #14351, on September 9, 1927, Skamania County Deed Records. (Affects land in Sections 1 and 6).
- 4.) Forest Protection Road Easement, in favor of the State of Washington, dated April 29, 1947, and recorded at Book G, Page 521, Recording #36682, on June 6, 1947, Skamania County Deed Records. (Affects land in Sections 1 and 6).
- 5.) Transmission Line Easement, in favor of the United State of America (BPA), dated June 17, 1953, and recorded at Book 37, Page 32, Recording #45707, on July 7, 1953, Skamania County Deed Records. (Affects land in Section 1.)
- 6.) Transmission Line/Access Easement, in favor of the United States of America (BPA), dated November 16, 1953, and recorded at Book 38, Page 444, Recording #47700, on October 13, 1954, Skamania County Deed Records. (Affects land in Section 1).
- 7.) Road Construction Reservation, in favor of Skamania County, WA, dated April 27, 1955, and recorded at Book 39, Page 365, Recording #48592, on April 27, 1955, Skamania County Deed Records. (Affects land in Section 1.)
- 8.) Access Road Easement, in favor of the United States of America (BPA) dated April 14, 1954, and recorded at Book 39, Page 377, Recording #48627, on May 6, 1955, Skamania County Deed Records. (Affects land in Sections 1 and 6).
- 9.) Access Road Easements, and their terms and conditions, in favor of S.D.S. Company, Longview Fibre Company, and the State of Washington, dated November 7, 1984, and recorded at Book 84, Page 98, Recording #98520, on November 26, 1984, Skamania County Deed Records. (Affects land in Section 1).
- 10.) ~~Rights of the public and State to any and all logging roads across all parcels, as shown by various maps. (Affects land in Section 1 & 6/Tide Commitment Exception #18).~~

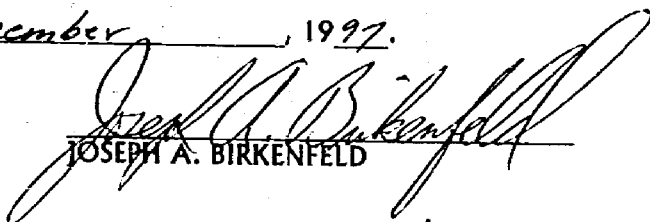
[Handwritten signature]
INITIAL
HERE

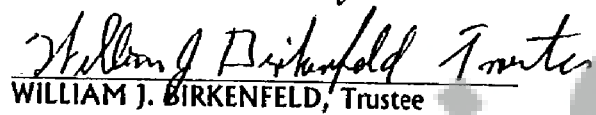
[Handwritten signature]
INITIAL
HERE

[Handwritten signature]
INITIAL
HERE

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

Dated this 22 day of December, 1997.


JOSEPH A. BIRKENFELD


WILLIAM J. BIRKENFELD, Trustee


MARY LEE BIRKENFELD, Trustee

ACKNOWLEDGMENT

STATE OF Washington
COUNTY OF Clark

On this 22 day of December, 1997, before me the undersigned, a Notary Public in and for the State of Washington, personally appeared Joseph A. Birkenfeld, known/proved to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Jan Southard
Notary Public for the State of Washington
Residing at Redfield
My Commission Expires: 10-10-98

ACKNOWLEDGMENT

STATE OF Washington
COUNTY OF Clark

On this 22nd day of December, 1997, before me the undersigned, a Notary Public in and for the State of Washington, personally appeared William J. Birkenfeld and Mary Lee Birkenfeld, known/proved to me to be the person whose name is subscribed to the within instrument, as Trustees of the William J. Birkenfeld and Mary Lee Birkenfeld Charitable Remainder Unitrust, created by Agreement dated May 7, 1996, and acknowledged to me that they executed the same as said Trustees.

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



Jan Southard
Notary Public for the State of Washington
Residing at Redfield
My Commission Expires: 10-10-98

Certified correct as to consideration, conditions, and descriptions.

Name By W. J. Birkenfeld Date 10/22/97