

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY GRANT
SERIAL NUMBER OR - 49222

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1. A right-of-way is hereby granted pursuant to Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761).

2. Nature of Interest:

a. By this instrument, the holder:

Crooked River Ranch Special Road District
P.O. Box 1477
Crooked River Ranch, OR 97760

receives a right to operate, maintain, and terminate a road right-of-way, on public lands described as follows:

T. 14 S., R. 12 E., W.M.
Section 2: NW1/4, NE1/4SW1/4;
Section 10: N1/2NE1/4;
Section 11: W1/2SW1/4, SW1/4NW1/4;

b. The right-of-way width granted herein is 60 feet where it currently exists in the subdivision and will be 20 feet wide along the proposed emergency access route. The total ROW length will be 8,818 feet and contain about 10 acres, more or less.

c. This instrument shall terminate on 30 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.

- d. This instrument may be renewed. If renewed, the right-of-way shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.


4. **Terms and Conditions:**

- a. This grant is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The map set forth in Exhibit A, attached hereto, is incorporated into and made a part of this grant instrument.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
- g. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

h. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the holder shall obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer. Emergency use of pesticides shall be approved in writing by the authorized officer prior to such use.

i. This grant is subject to the Special Stipulations attached as Exhibit B.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant.

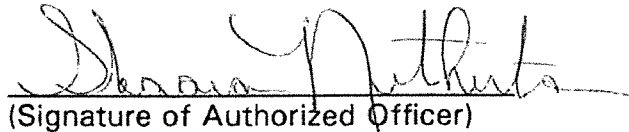

(Signature of Holder)

Crooked River Ranch Special Road
District Chairman

(Title)

February 17, 1994

(Date)


(Signature of Authorized Officer)

Acting Deschutes AM

(Title)

2/24/94

(Effective Date of Grant)

Exhibit B

Special Stipulations

1. The Holder shall improve the emergency access route to only minimum standards to deter an increase in use over the roadway to the subdivision. All work shall be confined to the existing alignment. Minimum blading may occur to smooth the running surface of the roadway. A gravel cap may be applied to facilitate access over areas of rock outcrop.

2. Prior to any surface disturbing activity on the emergency access route, the Holder shall notify Phil Paterno at 447-8724, to arrange for a prework conference.

3. The Holder is responsible to monitor use along the emergency access route and keep clean and free of dumping those areas adjacent to the right of way. If conflicts with use are recognized the Holder shall be responsible to take appropriate action to correct the situation, as deemed necessary by the Authorized Officer, BLM.

Crooked River Ranch Special Road District
P O Box 842
Crooked River Ranch, Oregon 97760

October 10, 2006

United States Department
Of the Interior
Bureau of Land Management
Prineville District
3050 NE Third Street
Prineville, Or 97754

RE: Right-of-Way Grant
Serial Number OR – 49222

Attention: Authorizing Officer

Dear Sir/Madam:

On or about February 24, 1994, Crooked River Ranch Special Road District entered into a right-of-way grant with the Bureau of Land Management. Paragraph a. of the instrument describes the public lands as follows:

T. 14S.,R.12E.,W.M.

Section 2: NW1/4,NE1/4SW1/4;

Section 10: N1/2NE1/4;

Section 11: W1/2SW1/4,SWW1/4NW1/4;

Crooked River Ranch Special Road District hereby notifies the United States Department of Interior that it is terminating its right to operate and maintain a road right-of-way on public lands described as follows:

Section 11: W1/2SW1/4,SWW1/4N1/4 ONLY

More commonly known as the "emergency access route".

The effective date of this Notice of Termination is November 15, 2006.