

20070350

Form 1860-9  
(January 2001)  
OR 61549

**The United States of America**  
*To all to whom these presents shall come, Greeting:*

**WHEREAS**

**TRACY HILL**

is entitled to a Land Patent pursuant to Sections 203 and 209 of the Act of October 21, 1976 (43 U.S.C. 1713 and 1719), for the following described land in Harney County, Oregon:

Willamette Meridian, Oregon  
T. 26 S., R. 31 E., North of Malheur Lake;  
sec. 5, four unnumbered government lots in the N $\frac{1}{2}$ N $\frac{1}{2}$ .

containing 160.00 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES unto the said **TRACY HILL**, the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said **TRACY HILL**, her successors and assigns forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES a right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945); and

SUBJECT TO all valid existing rights and reservations of record.

Pursuant to the authority contained in Section 3(d) of Executive Order 11990 of May 24, 1977, and Sections 203 and 209 of the Federal Land Policy and Management Act of 1976, this patent is subject to a restriction which constitutes a covenant running with the land, that the portion of the land lying within the 100 year floodplain may be used only in accordance with federal, state and local laws and ordinances applicable to floodplains.

By accepting this patent, and to the extent allowed by law, the purchaser agrees to indemnify, defend and hold harmless the United States from any cost, damages, claims, causes of action, penalties, fines, liabilities and judgments of any kind or nature arising from past, present and future acts or omissions of the purchaser, previous landowners or subsequent landowners or contractors, or lessees, or any third party, arising out of, or in connection with the purchaser's use, occupancy, or operations on the real property which has already resulted or does hereafter result in:

1. Violations of federal, state, and local laws and regulations which are now or may in the future become applicable to the real property;

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- 2. Judgments, claims and demands of any kind assessed against the United States;
- 3. Cost, expense or damages of any kind incurred by the United States;
- 4. Other releases or threatened releases on, into, or under land, property and other interests of the United States by solid or hazardous waste(s), or substance(s) as defined by federal and state law;
- 5. Natural resource damages as defined by federal and state law; or
- 6. Other activities by which solid or hazardous wastes, as defined by federal and state law were generated, used, stored, released or otherwise disposed of on the real property, and any clean-up, response or remedial action, or other action related in any manner to said solid or hazardous substances or wastes.

This covenant shall be construed as running with the real property, and may be enforced by the United States in a court of competent jurisdiction.

STATE OF OREGON }  
 County of Harney } ss  
 I certify that the within instrument was received  
 for record on the 11th day of February  
 2007 at 3:25 o'clock P.M. and  
 recorded Microfilm number 20070350  
 Deed  
 \_\_\_\_\_  
 \_\_\_\_\_, County Clerk  
 By: \_\_\_\_\_ Deputy

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in **Portland,** Oregon  
the **fifth** day of **February** in the  
year of our Lord two thousand and seven and of the Independence of the  
United States the two hundred and thirty-first.

By: Fred O'Keefe  
Chief, Branch of Lands and Mineral Resources



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