

222

The easements and rights hereby granted include the temporary and assignable right to remove from the date of possession to cut to ground level and remove trees, bushes, shrubs, or any other perennial growth or undergrowth which infringe upon, extend into or extend above the glide plane surface and/or transitional surfaces set forth in the above described land; and

The continuing perpetual and assignable right to top trees, bushes, shrubs or any other perennial growth or undergrowth which infringe upon, extend into, or extend above a plane or planes ten feet below and parallel to the glide plane surface and/or transitional surfaces set forth in the above described land; and

The continuing perpetual right to remove, to raze, to destroy, and to prohibit the future construction of buildings or portions thereof, other structures or portions thereof, land, embankments of earth and other materials which infringe upon, extend into, or extend above the glide plane surface and/or transitional surfaces set forth in the above described land; and

The right of ingress to, egress from, and passage on and over the land described above for the purpose of exercising the rights herein granted.

In consideration of payment as provided herein, it is expressly agreed that the above specified and liquidated in full all damages, whatever that have occurred, or may hereafter occur to the above described land and to the appurtenances thereunto belonging; and that payment by the United States of America of the consideration recited above shall constitute full fair value and full compensation to the Grantors for the easement and rights granted herein, whether such easement and rights shall be exercised by the United States or by any of its grantees, transferees, assignees, licensees, or permittees, and the Grantors do expressly release and relinquish any and all claims against any of the aforesaid for further or future payment of consideration for the aforesaid easements and rights granted herein.

TO HAVE AND TO HOLD all and singular the said easement and rights together with the above specified, unto the United States of America, and its assigns, for the purpose aforesaid, forever. The Grantors covenant that they are lawfully seized and do hereby warrant and convey the easement and rights herein granted; that they covenant and agree with the United States of America, and its assigns, to satisfy all claims, liens and encumbrances, and that they will forever warrant and defend the title thereto and the quiet and peaceful possession thereof, unto the United States of America, and its assigns, against the acts and deeds of all and every person or persons who may lawfully claim or to claim the same; SUBJECT, HOWEVER, to existing easements for public roads, public highways, public utilities, railroads, and pipelines, and to reservations, exceptions and any other outstanding rights contained in or referred to in patents issued by the United States; also subject to reservations and exceptions in deed dated April 1, 1900, recorded February 22, 1901, in Deed Volume 157 page 551, records of Klamath County, Oregon, RESERVING, HOWEVER, to the Grantors, their heirs, executors, administrators and assigns, all right, title, interest and privilege as may be exercised and enjoyed without interference with or abridgment of the easement and rights herein granted.

Witness their hand and seals this 17th day of May

Ralph W. Baker
RALPH W. BAKER

Mary Alma Baker
MARY ALMA BAKER

Witness my hand and seal this 17th day of May, 1966, before me, the undersigned Notary Public in and for the County of Klamath, State of Oregon, personally appeared the within and lawful heirs and Mary Alma Baker, who are known to me to be the legal owners of the above described land, and they acknowledged to me that they executed the foregoing instrument, and acknowledged to me that they intended by the same to convey the above described land to the United States of America, and its assigns, for the purpose aforesaid.

NOTARY
Public

Mary B. Baker
Notary Public for Oregon
Residing at Klamath Falls, Oregon
My commission expires 5-15-66

STATE OF OREGON, COUNTY OF KLAMATH, ss.

Filed for record at request of KLAMATH COUNTY TITLE CO.

this 17th day of May, A.D. 1966 at 2:00 o'clock P.M., and
duly recorded in Vol. 253 of _____ on Page 27
CHAS. F. DELAP, COUNTY CLERK

By _____ Deputy