

12102

11-67 1009

RIGHT-OF-WAY EASEMENT DEED - INDIVIDUAL

65-899

THIS DEED, dated this 20 day of January, 1967, by and between Howard Keith Brown & Donna Jean Brown, Husband & Wife and James G. Brown & Georgia L. Brown, Husband & Wife, hereinafter called the "Grantor," and the UNITED STATES OF AMERICA, hereinafter called the "Grantee,"

WITNESSETH

That the Grantor, for and in consideration of \$6,725, the receipt of which is hereby acknowledged, does hereby grant and convey unto the Grantee and its assigns an exclusive easement for a road to be located, constructed, reconstructed, improved, used, operated, patrolled and maintained, and known as the Corbell Butte Road, Project Number 34015, over, upon, along and across the following described premises situated in the County of Klamath, State of Oregon to-wit:

A strip of land *** feet in width traversing the following described real property:

NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8; the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 17, N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 18 of Township 37 South of Range 9 East of the Willamette Meridian

The said strip being *** feet in width on each side of a centerline as located and (to be) constructed on the ground, with as much additional width as required for adequate protection of cuts and fills, (The said centerline being located and described as shown on Exhibit A which is attached hereto and made a part hereof) containing 11.68 acres more or less.

*** See Exhibit A for width

Certified correct as to consideration, description, and condition

Date

Signature

If the road is located substantially as described herein, the centerline of the road as constructed is hereby deemed accepted by the Grantor as the true centerline of the easement granted.

Together with such reasonable rights of temporary use of the Grantor's lands immediately adjacent to said right-of-way as may be necessary for the construction, reconstruction, improvement and maintenance of said road.

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

This conveyance is made subject to the following reservations by the Grantor, his heirs and assigns:

1. The right to cross and recross the easement at any point and for any purpose in such manner as will not materially interfere with the use of the road.
2. The right to all timber now growing or which may hereafter grow within the easement and the right to use any land therein not devoted to road use for grazing and the growing and harvesting of crops including timber crops; provided, the United States and its assigns shall have the right to cut timber upon the easement to the extent necessary for construction, reconstruction, improvement, and maintenance of the road. ~~(If any timber is cut on the lands of the grantee during the term of this easement and the timber is desired for other purposes, the grantee shall pay to the State of Idaho the sum of ten cents per acre for the timber so cut, and the State of Idaho shall have the right to enter upon such lands to cut and remove the timber so desired for other purposes, and the grantee shall be liable for the cost of such cutting and removal.)~~ (Such timber shall become the property of Grantee's timber purchaser or road contractor upon making payment therefor to the Grantor at rates currently being paid for similar timber sold by Grantee in adjacent areas.)

The Grantee will permit the Grantor, his heirs and assigns, to use the road to serve his property in accordance with the rules and regulations of the Secretary of Agriculture, 36 C.F.R. 212.7 - 212.11, as the same may be amended, in such manner as not unreasonably to interfere with its use by the United States, its authorized users or assigns, or cause substantial injury thereto.

Provided, however, that if for a period of five years the Grantee shall cease to use the road, or parts thereof, for the purposes granted, or shall abandon the same, then, in any such events, the premises traversed thereby shall be freed from said easement, or parts thereof, as fully and completely as if this deed had not been made. In the event of such non-use for the period stated, the Regional Forester shall furnish to the Grantor a statement in recordable form evidencing such non-use.

1011

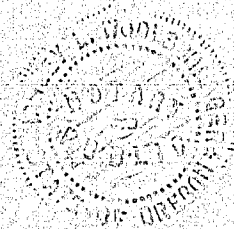
IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal
on the day and year first above written.

Howard Ruth Brown (Husband) (Seal)
Donna Jean Brown (Wife) (Seal)

State of Oregon }
County of Klamath } ss.

On this day personally appeared before me Howard Ruth Brown
and Donna Jean Brown Husband & Wife
to me known to be the identical individuals described in and who executed the
within and foregoing instrument and acknowledged to me that they signed and
executed the same as their free and voluntary act and deed, for the uses and
purposes therein mentioned.

Given under my hand and seal this 9th day of Jan,
19 67.



Harvey L. Woolfloger
Notary Public in and for the State of
Oregon
Residing at Klamath Falls
My commission expires Jan 9, 1969

1012

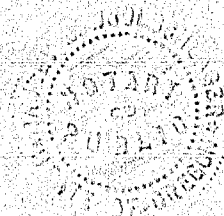
IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal
on the day and year first above written.

James L. Brown (Seal) Husband
Georgia L. Brown (Seal) Wife

State of Oregon }
County of Klamath } ss.

On this day personally appeared before me James G. Brown
& Georgia L. Brown Husband & Wife
to me known to be the identical individuals described in and who executed the
within and foregoing instrument and acknowledged to me that they signed and
executed the same as their free and voluntary act and deed, for the uses and
purposes therein mentioned.

Given under my hand and seal this 20th day of January,
19 69.

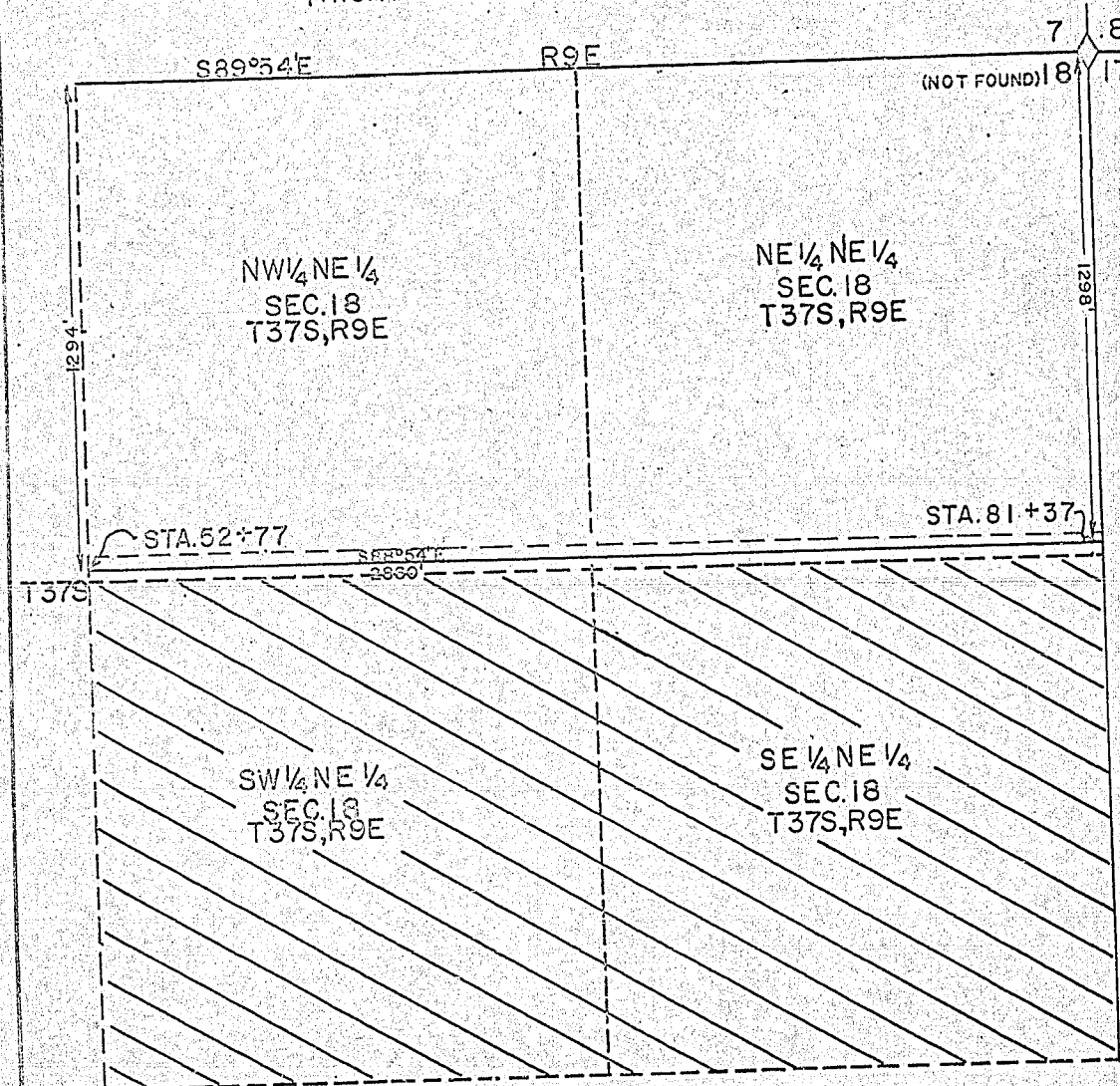


James G. Brown
Notary Public in and for the State of
Oregon
Residing at Klamath Falls
My commission expires Jan 4, 1969

WINEMA NATIONAL FOREST
CHILOQUIN RANGER DISTRICT

RIGHT-OF-WAY PLAT
CORBELL ROAD, NO. 34015

(RIGHT-OF-WAY WIDTH=66 FEET)



SURVEYED BY W. BRECKENRIDGE
DATE JAN. 1966

DRAWN BY R. HORTON
DATE MAR. 1966

SCALE: 1 INCH=400 FEET

LAND OWNERSHIP LEGEND



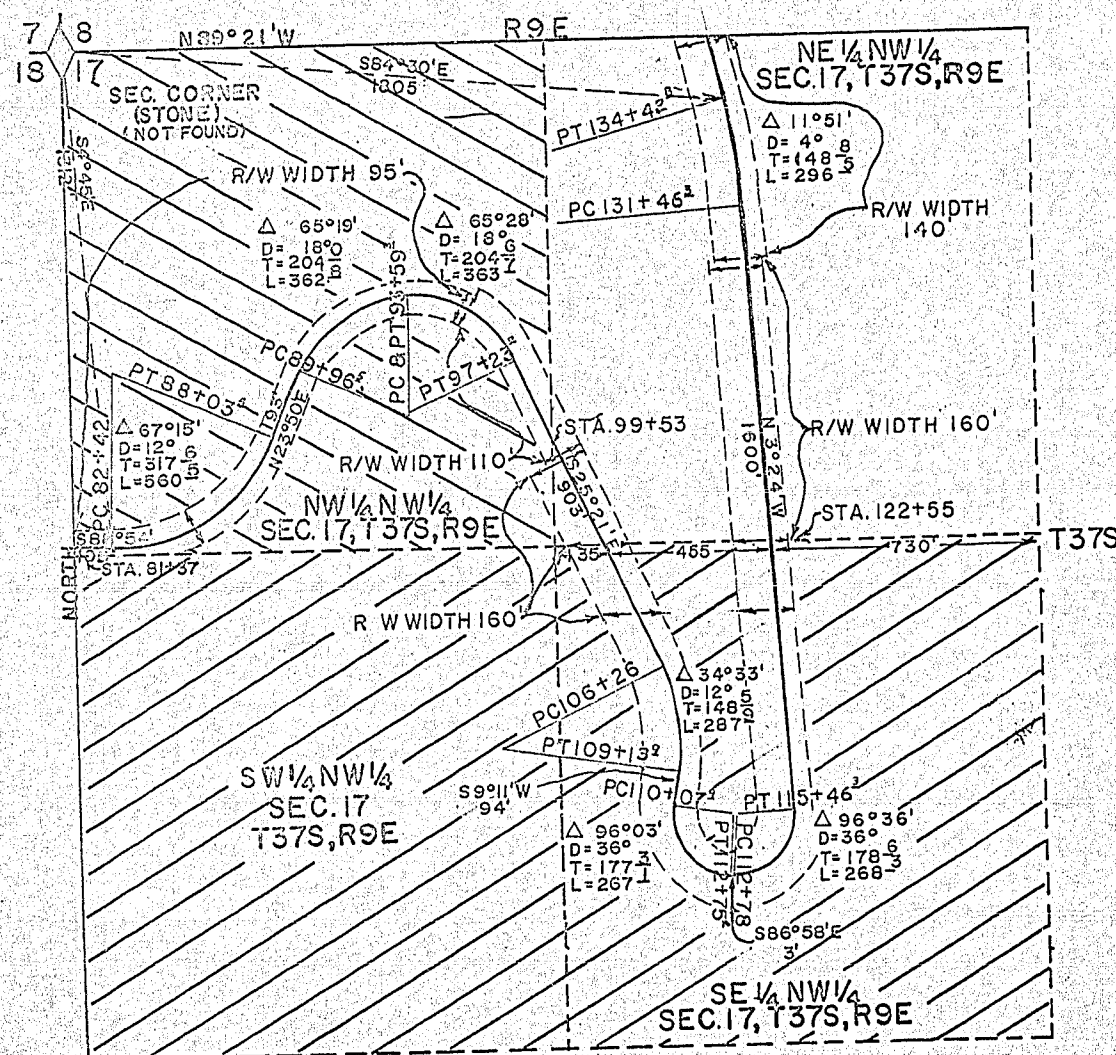
BROWN

HAGELSTEIN

WINEMA NATIONAL FOREST
CHILQUIN RANGER DISTRICT

RIGHT-OF-WAY PLAT
CORBELL ROAD, NO. 34015

(RIGHT-OF-WAY WIDTH = FEET)



35

SURVEYED BY W. BRECKENRIDGE
DATE JAN. 1966

DRAWN BY R. HORTON
DATE MAR. 1966

SCALE: 1 INCH = 400 FEET



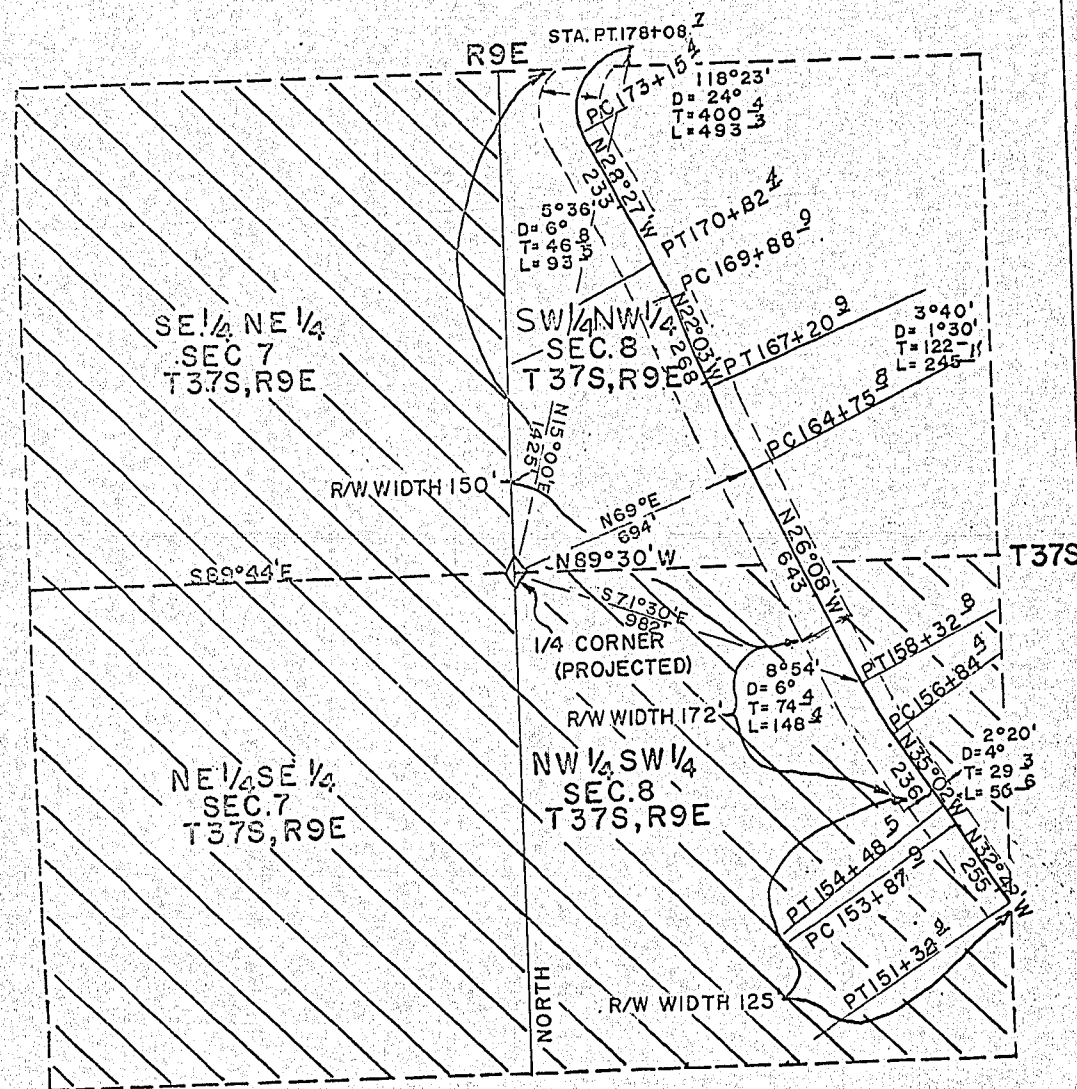
LAND OWNERSHIP LEGEND

- U.S. BLM
- BROWN
- HAGELSTEIN

WINEMA NATIONAL FOREST
CHILOQUIN RANGER DISTRICT

RIGHT-OF-WAY PLAT
CORBELL ROAD, NO. 34015

(RIGHT-OF-WAY WIDTH = _____ FEET)



SURVEYED BY BRECKENRIDGE
DATE JAN. 1966
DRAWN BY R. HORTON
DATE MAR. 1966

SCALE: 1" INCH = 400 FEET

LAND OWNERSHIP LEGEND

WEYERHAEUSER CO.
BROWN
36

1016

STATE OF OREGON, } ss
County of Klamath }

Filed for record at request of:

Oregon Title Insurance

on this 14 day of February A. D. 1967

at 11:47 clock A M. and Day

recorded in Vol. M-67 of deeds

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GORDON HIGGINS, County Clerk

Fee 12.00

By David J. Higgins Deputy

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