

RIGHT-OF-WAY EASEMENT DEED

THIS DEED, dated this 2nd day of July, 1968, by and between HARRY C. GERBER and MARILYN M. GERBER, hereinafter called the "Grantor," and the UNITED STATES OF AMERICA, hereinafter called the "Grantee."

WITNESSETH, that the Grantor, for and in consideration of \$300.00, 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 Gerber Ranch Road, Project Number 361, over, upon, along and across the following described premises situated in the County of Klamath, State of Oregon, to-wit:

A strip of land 66 feet in width traversing the following described real property:

NEL/4SE1/4, NE1/4SE1/4, SE1/4SE1/4, NE1/4SE1/4, Section 29, NE1/4SE1/4, SE1/4SE1/4, NE1/4SE1/4, Section 30, Township 36 South, Range 14 East, W.M.

The said strip being 33 feet in width on each side of a centerline as 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 and B which is attached hereto and made a part hereof.

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 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 reconstruction, improvement, and maintenance of the road. 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 (5) 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.

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

Henry C. Gerber
Mariam W. Gerber

STATE OF Oregon)
COUNTY OF Klamath) ss.

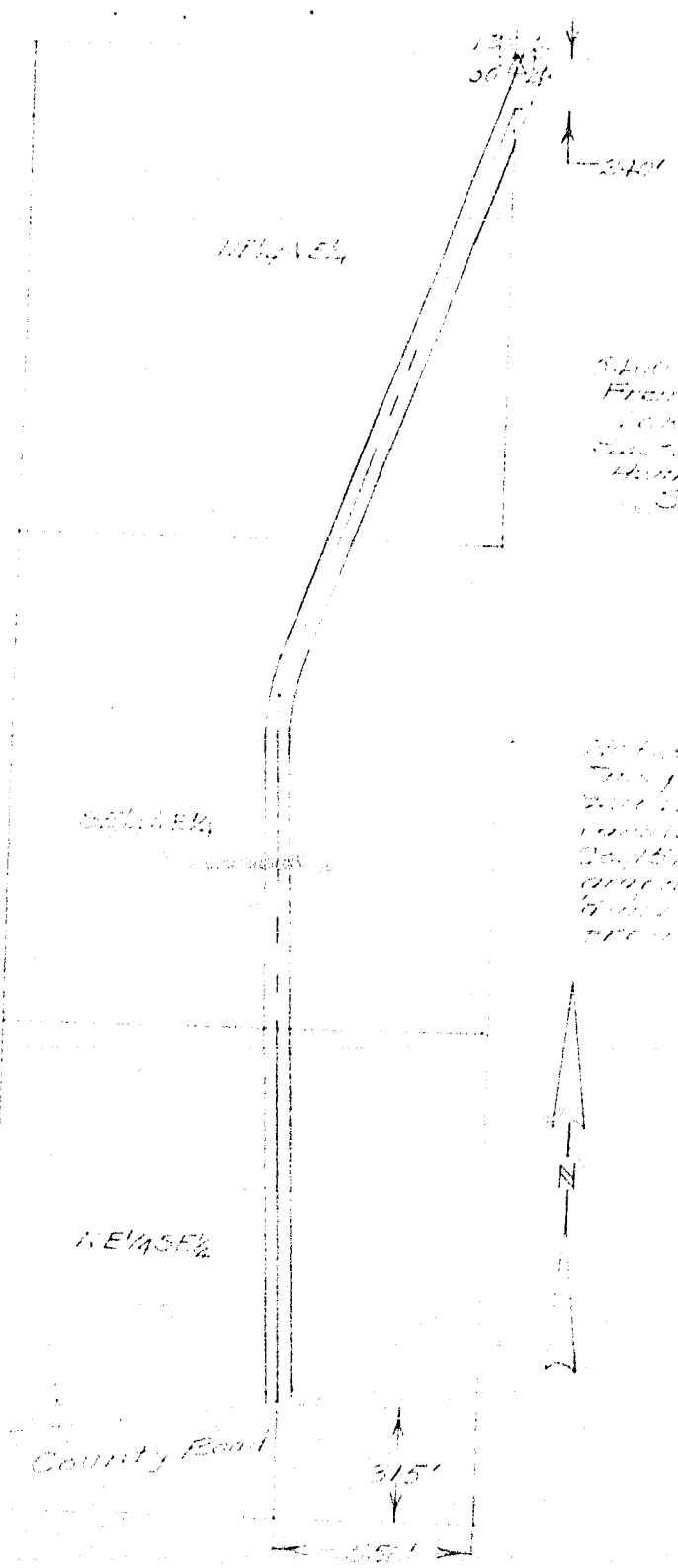
On this day personally appeared before me Henry C. Gerber and Mariam W. Gerber,
husband and wife
to me known to be the identical individuals described in and who executed the within
and foregoing instrument and acknowledged to me that they signed and executed the
same as their free and voluntary act and deed, for the uses and purposes therein
mentioned.

Given under my hand and seal this 2nd day of July, 1968.



Alma M. Bink
Notary Public in and for the State of Oregon
Residing at Klamath Falls, Oregon
My commission expires October 25, 1970

6433



State Highway 100, N. 100th St.
Franklin Township, Polk Co.,
Iowa. Cont. 10.200
Cont. 10.200, 1945 N. 100th St.
Hwy. 100 - Cont.
State Highway 100

Section B

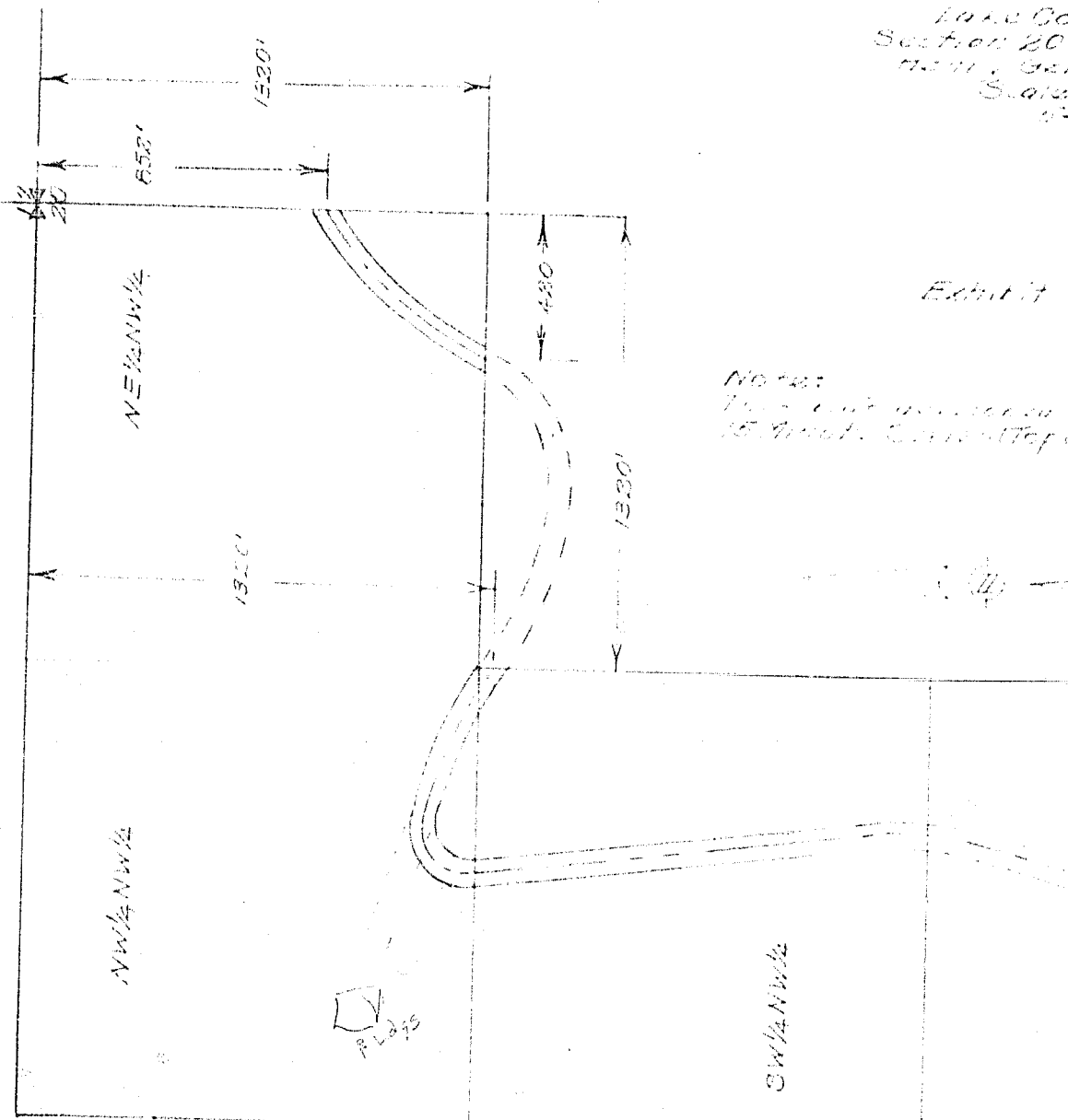
Notes:
This plat shows a tract
of land in Section 10, T20N-
R10E, S10W, Polk Co., Iowa,
containing 20 acres, more or less,
as shown on the 1940 A.C.
map.

6434

East Rights-of-
Fremont Ave
Lake County
Section 2078
1/2 Sec. 11
S. 10-11-12

Exhibit 4

NOTE:
This plat is subject to the
15-foot easement for
Fremont Ave.



25

6435

Way Acquired
National Forest
Oregon
SSE 1/4 E WM
- Owner
101-400
25

STATE OF OREGON, } ss
County of Klamath }

Filed for record as result of

Fremont National Forest

on the 16 (a) July A.D. 1968

at 10:15 o'clock A.M. and duly

recorded in Vol. M-68 of Deeds

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DOORNEY ROGERS, County Clerk

By Charles F. Neustrom Deputy

Fee 7.50

101-400-25

101-400-25

101-400-25

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