

33578

RIGHT-OF-WAY EASEMENT DEED - CORPORATION
(Raw Land)

VOL. 2167 PAGE 5956

THIS EASEMENT, dated this 8th day of April, 1969,
from OREGON PINES, INC.,
a corporation of the State of Oregon, hereinafter called
"Grantor", to the United States of America, hereinafter called "Grantee",

WITNESSETH:

Grantor, for and in consideration of \$1.00

received by Grantor, does hereby grant to Grantee and its assigns, subject
to existing easements and valid rights, a perpetual easement for a road
along and across a strip of land, hereinafter defined as the "premises",
over and across the following described lands in the County of
Klamath, State of Oregon.

W $\frac{1}{2}$ of Section 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11,
all in Township 35 South, Range 11 East, Willamette Meridian,

all as shown* (approximately) on the plat attached hereto marked Exhibit
A.

The word "premises" when used herein means said strip of land, whether or
not there is an existing road located thereon. Except where it is defined
more specifically, the word "road" shall mean roads now existing or here-
after constructed on the premises or any segment of such roads.

~~*Said premises shall be 40 feet on each side of the center line with
such additional width as required for accommodation and protection of
cuts and fills. If the road is located substantially as described herein,
the center line of said road as constructed is hereby deemed accepted by
Grantor and Grantee as the true center line of the premises granted. If
any subsequent survey of the road shows that any portion of the road,
although located substantially as described, crosses lands of the Grantor
not described herein, the easement shall be amended to include the~~

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the center line of said road as constructed is hereby deemed accepted by
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any subsequent survey of the road shows that any portion of the road,
although located substantially as described, crosses lands of the Grantor
not described herein, the easement shall be amended to include the

*Strike out if not applicable.

R6-5460-14 (9/66)

Page 1 of 3

Certified correct as to consideration, description, and condition

Signature

Date

5957

additional lands traversed; if any lands described herein are not traversed by the road as constructed, the easement traversing the same shall be terminated in the manner hereinafter provided.

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

This grant is made subject to the following terms, provisions, and conditions applicable to Grantee, its permittees, contractors, and assigns:

- A. Except as hereinafter limited, Grantee shall have the right to use the road on the premises without cost for all purposes deemed necessary or desirable by Grantee in connection with the protection, administration, management, and utilization of Grantee's lands or resources, now or hereafter owned or controlled, subject to such traffic-control regulations and rules as Grantee may reasonably impose upon or require of other users of the road. Grantee shall have the right to construct, reconstruct, and maintain roads within the premises.

Grantee alone may extend rights and privileges for use of the premises to other Government Departments and Agencies, States, and local subdivisions thereof, and to other users including members of the public.

- B. Grantee shall have the right to cut timber upon the premises to the extent necessary for constructing, reconstructing, and maintaining the road. Timber so cut shall, unless otherwise agreed to, be cut into logs of lengths specified by the timber owner and decked along the road for disposal by the owner of such timber.

This easement is granted subject to the following reservations by Grantor, for itself, its permittees, contractors, assigns, and successors in interest:

- Grantee's 1. The right to cross and recross the premises and road at any places subject to approval, by any reasonable means and for any purpose in such manner as will not interfere unreasonably with use of the road.
2. The right to all timber now or hereafter growing on the premises, subject to Grantee's right to cut such timber as hereinbefore provided.

5958

It is agreed that the Grantor shall have the right to use the road herein-
after to be constructed for all purposes deemed necessary or desirable by
Grantor in connection with the protection, administration, management and
utilization of Grantor's lands or resources now or hereafter owned or con-
trolled, subject, however, to traffic-control regulations as Grantee may
reasonably impose under 36 C.F.R. 212.7(a) (1) and (2), the bearing of road
maintenance costs proportionate to use as provided in 36 C.F.R. 212.7(d),
and the sharing of the cost of construction or reconstruction proportionate
to use, as provided in 36 C.F.R. 212.11.

If for a period of five (5) years, the Grantee shall cease to use, or preserve
for prospective future use, the road or any segment thereof for the purposes
granted, or if at any time the Regional Forester determines that the road
or any segment thereof is no longer needed for the purposes granted, the
easement traversed thereby shall terminate. In the event of such nonuse or
of such determination by the Regional Forester, the Regional Forester shall
furnish to the Grantor, its successors, or assigns a statement in recordable
form evidencing termination.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its
duly authorized officers and its corporate seal to be hereunto affixed on
the day and year first above written.



OREGON PINES, INCORPORATED,

By

(Title)

President

State of California

County of Los Angeles ss.

On this 8 day of April, 1969, before me the undersigned, a
Notary Public in and for said county and State, personally appeared
Saul R. Rutter and Norman W. Fowler
known to me to be the President and Secretary
of Oregon Pines, Inc., the Corporation that
executed the within instrument, known to me to be the persons who executed
the within instrument on behalf of the Corporation therein named,
and acknowledged to me that such Corporation executed the within
instrument pursuant to its bylaws or a resolution of its

WITNESS my hand and Official Seal,

Patsy Proctor
Notary Public in and for said
County and State.

My commission expires 4/11/72

Page 3 of 3



WEEK'S AFFIDAVIT

CERTIFICATION

This map, composed of one (1) sheet, is approved pursuant to the provisions of the Act of Congress, dated February 11, 1919 (42 Stat. 19, 25 U.S.C. 122), and Public Law 547, 44th Congress (August 1, 1917, 40 Stat. 218) and Departmental Regulations (August 1, 1917, 40 Stat. 218), and transferred to Klamath County, Oregon, pursuant to stipulations of the agreement dated June 2, 1955 between the United States as represented by the Bureau of Indian Affairs and Klamath County as represented by the Judge, Klamath County, Court, and subject to any prior valid existing right or adverse claim.

Date Approved: May 10 1960

Conrad P. Cichelli
Acting Officer in Charge
Elmwood Agency, Oregon

NOTE

CERTIFICATION OF KLAMATH COUNTY

1. JOSEPH R. HENDERSON hereby
certify that I am the Judge of the County Court of Klamath
County, Oregon; that I am satisfied as to the accuracy of
the survey of the Road and of the accuracy of this map on
which the survey is represented; that Klamath County accepts
this right of way for the road represented on this map pur-
suant to agreement with the Bureau of Indian Affairs dated
June 13, 1955, and subject to any prior valid existing right
or adverse claim.
Date: May 12 1956. JRH

1902.
Judge, County Court
Commissioner
Commissioner
Accepted
Clerk, County Court

NOTE ALL SECTION CORNERS COMPLETED FROM G.L.O SURVEY NOTES UNLESS NOTED OTHERWISE.

ALL BEARINGS ARE TRUE ORIGINATING WITH KNOWN BEARING OF CHILOQUIN-SPRAGUE RIVER HIGHWAY SURVEY.

PARCELS OF LAND ARE NOTED WITH ALLOTMENT NO., ALLOTTEE AND PRESENT OWNER

LENGTH OF ROAD 5.17 MILES

RIGHT OF WAY 6.00m - 8.00'

5961

CENTERLINE SURVEY NOTES

Station	Bearing	Distance Ft.
PI No. 18A	N 17° 52' 30" W	177.7
PI No. 18B	N 17° 52' 30" W	607.6
PI No. 165	W 07° 45' 30" E	721.2
POT No. 13	N 07° 45' 30" W	1,931.2
PI No. 164	N 28° 38' 30" E	2,446.2
POT No. 14	N 28° 38' 30" E	1,931.9
POT No. 11	N 28° 38' 30" E	1,268.7
PI No. 163	N 07° 27' W	889.7
PI No. 162	N 21° 07' E	1,955.9
POT No. 10	N 21° 07' E	540.0
PI No. 161	N 10° 57' E	20.9
PI No. 160	N 25° 38' W	-7.6
POT No. 9	N 25° 38' W	81.0
PI No. 159	N 12° 01' E	-5.1
PI No. 158	N 02° 58' E	-53.5
PI No. 157	S 22° 10' E	2,267.2

CENTERLINE SURVEY NOTES

Station	Distance
PI. No. 136	N 55° 54' 10" E
PI. No. 135	N 70° 10' 0" E
PI. No. 134	N 73° 07' 10" W
PI. No. 133	N 66° 22' 0" E
PI. No. 132	N 70° 50' 0" W
PI. No. 131	N 59° 08' 0" W
PI. No. 130	N 09° 09' 0" W
PI. No. 129	N 55° 11' 0" E
PI. No. 128	N 67° 01' 0" E
PI. No. 127	N 68° 22' 0" E
PI. No. 126	N 01° 25' 0" E
PI. No. 125	N 72° 04' 0" W
PI. No. 124	N 58° 56' 0" E
PI. No. 123	N 42° 00' 0" W
PI. No. 122	N 51° 08' 10" W
PI. No. 121	

EXHIBIT A

TRIBAL

TRIBAL

TRIBAL

TRIBAL


TRIBA

Beginning - Subject Easement

Ending -
Subject Easement
TRIBAL
220' East
1125' South to Section
Corner $\frac{10}{13} \frac{11}{14}$

KLAMATH INDIAN RESERVATION
SCALE 1"=5 MILES

LEGEND

 - POINT OF INTERSECTION
 - POINT ON TANGENT

o Road # 33064 (SL 12)

U.S. DEPT. OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
ROAD RIGHT OF WAY PLAT
FUEGO FIRE ROAD
ROUTE S-58-1-T
KLAMATH RESERVATION
KLAMATH COUNTY, ORE.

9

dated pursuant to
February 5, 1940
557, 464
entitled Regulations
in Klamath County,
Oregon dated June
25, 1933, and subject to any prior valid existing right
or adverse claim.

Charge
Klamath Agency, Oregon

CERTIFICATION OF KLAMATH COUNTY

I, Samuel A. Hester, hereby
certify that I am the Judge of the County Court of Klamath
County, Oregon; that I am satisfied as to the accuracy of
the survey of the road and of the accuracy of this map on
which the survey is represented; that Klamath County accepts
the right of way for the road represented on this map pur-
suant to agreement with the Bureau of Indian Affairs dated
June 25, 1933, and subject to any prior valid existing right
or adverse claim.

Date: July 18
Samuel A. Hester
Judge, County Court
Commissioner
Commissioner
Attest:
Clerk, County Court

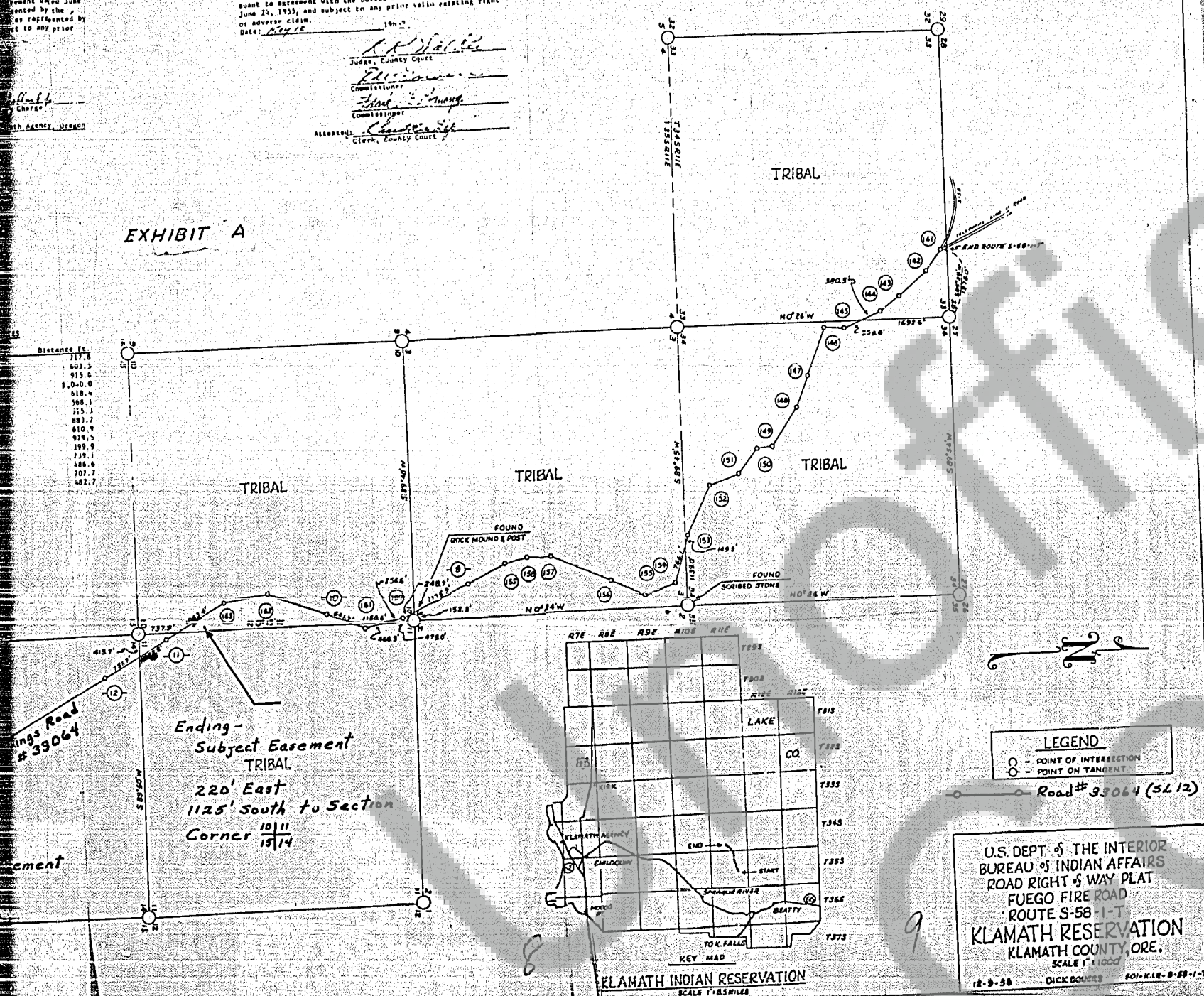
5960

NOTE

ALL SECTION CORNERS COMPUTED FROM G.L.O. SURVEY
NOTES UNLESS NOTED OTHERWISE.
ALL BEARINGS ARE TRUE ORIGINATING WITH KNOWN
BEARING OF CHILOQUIN-SPRAGUE RIVER HIGHWAY
SURVEY.
PARCELS OF LAND ARE NOTED WITH ALLOTMENT NO.,
ALLOTTEE AND PRESENT OWNER.
LENGTH OF ROAD 5.17 MILES
RIGHT OF WAY WIDTH - 60.0'

5961

EXHIBIT A



STATE OF OREGON; COUNTY OF KLAMATH, ss.

Filed for record at request of Transamerica Title Ins. Co.

this 9th day of July 1969 A.D. at 6:30 P.M.

duly recorded in Vol. M-69, of Deeds or 5956

Fee \$9.00

Wm D. MILNE, Co. Clerk
By Charles T. Christman
Deputy