

35743

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Tract R-KF-67

EASEMENT AND RELEASE

FOR AND IN CONSIDERATION of the release of the transmission line easement rights hereinafter set forth, JACK C. ECOFF, hereinafter referred to as the Grantor, does hereby grant, bargain, sell, and convey to the UNITED STATES OF AMERICA and its assigns, a perpetual easement and right to enter and erect, operate, maintain, repair, rebuild, and patrol one or more electric power transmission lines and appurtenant signal lines, poles, towers, wires, cables, and appliances necessary in connection therewith, in, upon, over, under and across the following-described parcel of land in the County of Klamath, in the State of Oregon, to-wit:

A right-of-way 125 feet wide over and across the $W\frac{1}{2}$ of Section 36, Township 23 South, Range 10 East, Willamette Meridian, Klamath County, Oregon. The boundaries of the right-of-way are located 62.5 feet on each side of and parallel with the survey line of the Bonneville Power Administration's Redmond-Klamath Falls transmission line. The survey line is described, with bearings referred to the Oregon Coordinate System--South Zone, as follows:

Beginning in the north line of Section 36, Township 23 South, Range 10 East, W.M., at survey station 4285+52.0 which is $S89^{\circ}02'50''E$ 980.9 feet from the northwest corner of said Section 36. This corner is evidenced by a BIM brass cap. Thence $S11^{\circ}10'20''W$ 5,102.8 feet to survey station 4336+54.8. Thence $S44^{\circ}00'20''W$ 64.0 feet to the west line of said Section 36 at survey station 4337+18.8 which is $N0^{\circ}47'00''E$ 237.0 feet from the southwest corner of said Section 36. This corner is evidenced by a BIM brass cap.

Together with the right to clear said parcel of land and keep the same clear of all brush, timber, structures, and fire hazards, provided however, the words "Fire Hazards" shall not be interpreted to include growing crops; and also the present and future right to top, limb, fell, and remove all growing trees, dead trees or snags (collectively called "danger trees") located on Grantor's land adjacent to said parcel of land, which could fall upon or against said transmission and signal line facilities.

TO HAVE AND TO HOLD said easement and rights unto the UNITED STATES OF AMERICA and its assigns, forever.

The Grantor covenants to and with the UNITED STATES OF AMERICA and its assigns that the title to all brush and timber cut and removed from said parcel of land and also all growing trees, dead trees or snags (collectively called "danger trees") cut and removed from Grantor's land adjacent to said parcel of land, is and shall be vested in the UNITED STATES OF AMERICA and its assigns and that the consideration stated above is accepted as full compensation for all damages incidental to the exercise of any of said rights.

The Grantor also covenants to and with the UNITED STATES OF AMERICA that Grantor is lawfully seized and possessed of the lands aforesaid; has a good and lawful right and power to sell and convey same; that same are free and clear of encumbrances, except as above indicated; and that Grantor will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

The UNITED STATES OF AMERICA, acting by and through the Administrator, Bonneville Power Administration, Department of the Interior, does hereby release and quitclaim to JACK C. ECOFF, all right, title and interest in and to the transmission line easement acquired by the United States for electric power transmission purposes by instrument dated September 13, 1951, recorded on October 9, 1951 in Book 250, page 282, under Recorder's file No. 72347, Deed records of Klamath County, Oregon.

The rights herein released are no longer required for electric power transmission purposes, and are released pursuant to the Acts of August 20, 1937, Ch. 720,

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§ 2, 50 Stat. 732, 16 U.S.C. § 832a, as amended, and June 30, 1949, Ch. 288, title II, § 203, 63 Stat. 385, 40 U.S.C. § 484, as amended, and regulations and delegations of authority issued pursuant thereto.

DATED this 12th day of June, 1972.

Jack C. Ecoff
Jack C. Ecoff

Dated at Portland, Oregon, this 14th day of JUNE, 1972.

UNITED STATES OF AMERICA
Department of the Interior
Acting through the Bonneville Power
Administrator

By Thomas Kornelis
Chief, Branch of Land

STATE OF California }
COUNTY OF Ventura } ss:

On the 12th day of June, 1972, personally came before me, a notary public in and for said County and State, the within-named JACK C. ECOFF, to me personally known to be the identical person described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

(SEAL)

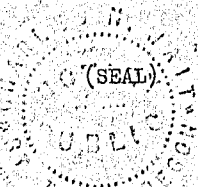


Dorothy G. Meyer
Notary Public in and for the
State of California
Residing at Orland Calif
My commission expires: Jan. 4, 1976

STATE OF OREGON }
COUNTY OF MULTNOMAH } ss:

On this day personally appeared before me THOMAS KORNELIS, to me known to be the --- Chief, Branch of Land, Bonneville Power Administration, described in and who executed the within and foregoing instrument and acknowledged that he signed the same as a free and voluntary act and deed for the purposes and uses therein mentioned.

GIVEN under my hand and official seal this 14th day of June, 1972.



Clark R. Wait
Notary Public in and for the
State of Oregon
Residing at Portland, Oregon
My commission expires: 12-4-72

After recording, please return to:
Title Section, Branch of Land, BPA

STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record at request of TITLE SECTION BR OF LAND BONNEVILLE POWER ADMINISTRATION
this 30th day of JUNE A. D., 19 72 at 9:39 o'clock A.M., and duly recorded in
Vol. M 72 of DEEDS on Page 7124

FEE \$4.00

WM. D. MILNE, County Clerk
By Wagel Dragel