

## Temporary Right of Way Easement

1978 12 01 13/2

KNOW ALL MEN BY THESE PRESENTS: That Klamath County, a municipal corporation of the State of Oregon, hereinafter called the grantor, for and in consideration of the sum of One dollar, does hereby grant and convey unto the United States of America, as grantee, a temporary non-exclusive easement for the purpose of ingress to and egress from adjacent lands the title to which is vested in said Grantee, over and across the following described real property and along and upon the following described right of way, to wit:

Along and upon the existing public road known as the Manhattan Springs (K.I.R.S-67) road as transferred to Klamath County, Oregon, by the U.S. Bureau of Indian Affairs, said road right of way beginning at its junction with K.I.R.S-66 road in Section 3, Township 37 South, Range 12, E.W.M. and traversing in a generally easterly and northerly direction through Sections 3, 2, and 1, in Township 37 South, Range 12, E.W.M.; Sections 6, 7, 8, 16, 9, 10, 3, 2 and 1, in Township 37 South, Range 13 E.W.M. Sections 36, 25 and 24 in Township 36 South, Range 13 E.W.M. to its termination with its junction with State Highway No. 140 in Section 24, Township 36 South, Range 13 E.W.M., the location of said existing road right of way being shown on the attached plat which is marked Exhibit A and made a part of this document by this reference.

The said temporary easement being 60 feet in width, being 30 feet on each side of the center line as located and described as shown on the plat which is attached hereto and made a part hereof.

TO HAVE AND TO HOLD unto the grantee for the use and benefit of the United States Forest Service, Department of Agriculture, and of its customers from and after the date of this document to January 1, 1978, unless the Grantee shall notify the Grantor in writing prior to said expiration date that it has elected to terminate this easement at an earlier date.

PROVIDED, HOWEVER, this conveyance is made and accepted subject to the following reservations and restrictions imposed by the Grantor, to wit:



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- (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 or hereafter growing on the easement subject to grantee's right to cut timber on the easement to the extent necessary for constructing, re-constructing, and maintaining the road. Timber so cut shall, unless otherwise agreed to, be cut into logs of standard lengths and decked along the road for disposal by the grantor.
- (3) The grantor shall not assume any financial maintenance responsibilities of any road or structure constructed or improved by the grantee or caused to be constructed by the grantee within the exterior boundaries of said right of way nor shall the grantor assume any liability for such improvements or the use of said right of way by the grantee or of any third person pursuant to contracts with the grantee.
- (4) The grant of this easement shall not in any way eliminate or restrict the rights of the general public to also use this right of way during the period of this easement.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal pursuant to a resolution duly adopted by the Board of County Commissioners that 6th day of December 1972.

Klamath County a municipal corporation.

M. E. Hollans (SEAL)  
Commissioner

Lloyd Giff (SEAL)  
Commissioner

R. A. Hile (SEAL)  
Commissioner (Chairman)

Attest: W. R. D. Mical  
County Clerk

State of Oregon     }  
County of Klamath    }:SS



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On this day personally appeared before me the within named three County Commissioners, Lloyd Gift, Robert A. Pyle and Michael E. Holland who are known to be the identical individuals described in the forgoing document and they then and there acknowledge that they executed the same for and on behalf of the said municipal corporation.

Given under my hand and seal this 6<sup>th</sup> day of November, 1972.

Virginia Bichey  
Notary Public for Oregon

My commission expires

September 23, 1976

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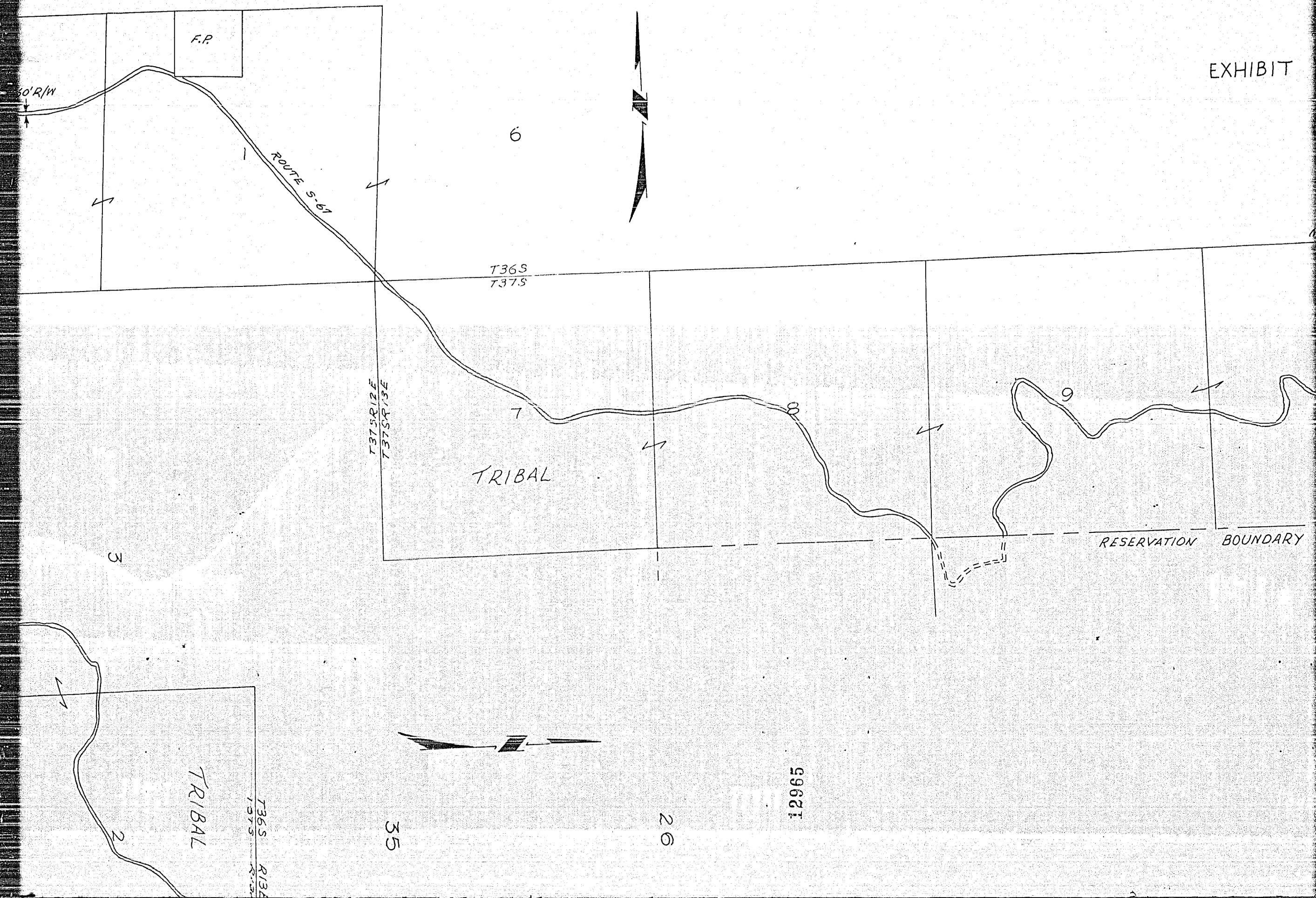


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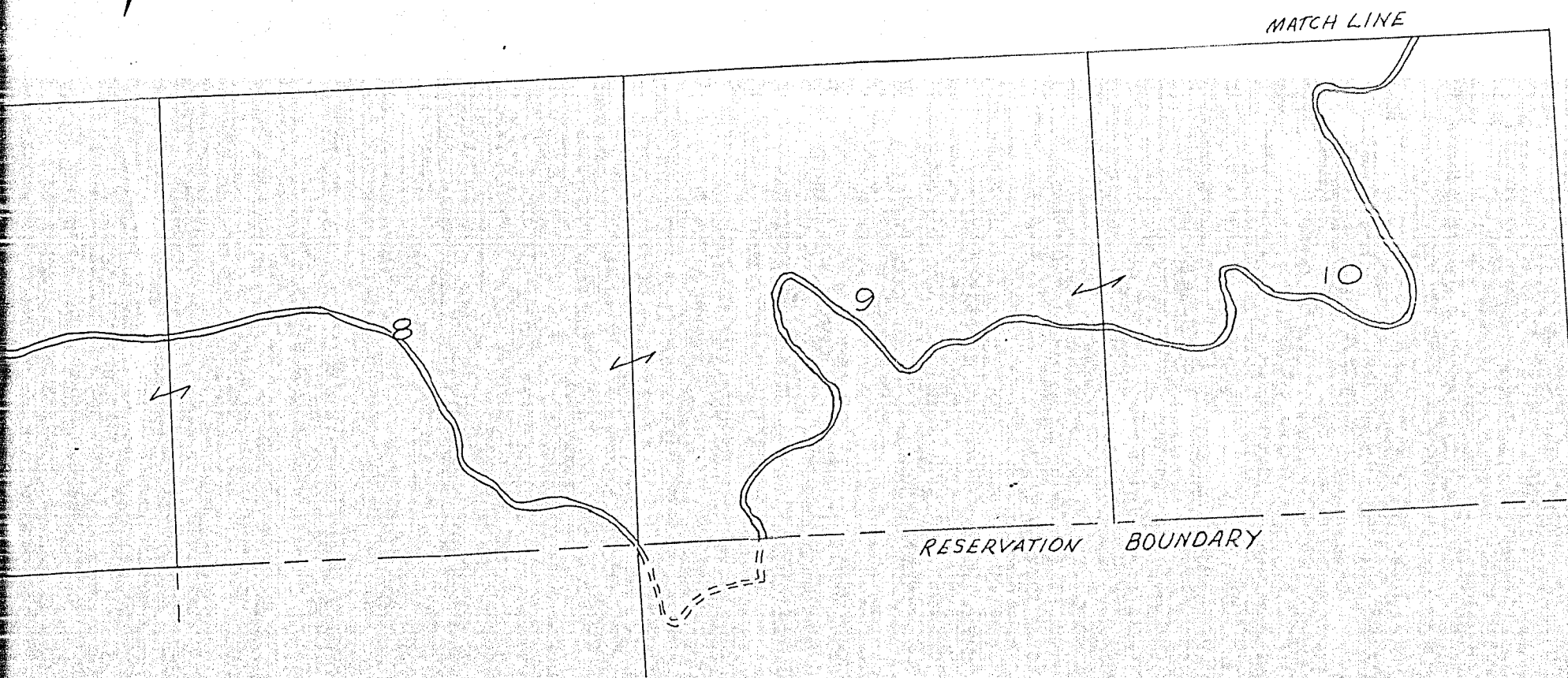
EXHIBIT



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EXHIBIT 'A'



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TY OF KLAMATH: ss.  
KLAMATH COUNTY COMMISSIONER  
A. D. 1972 at 12:01 o'clock p.m., and duly recorded in  
S. on Page 12958

WM. D. MILNE, County Clerk  
By *W. D. Milne*



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MATCH LINE

TRIBAL

T365 R13E  
1375

T375R12E  
T375R13E

TRIBAL

T365  
T375

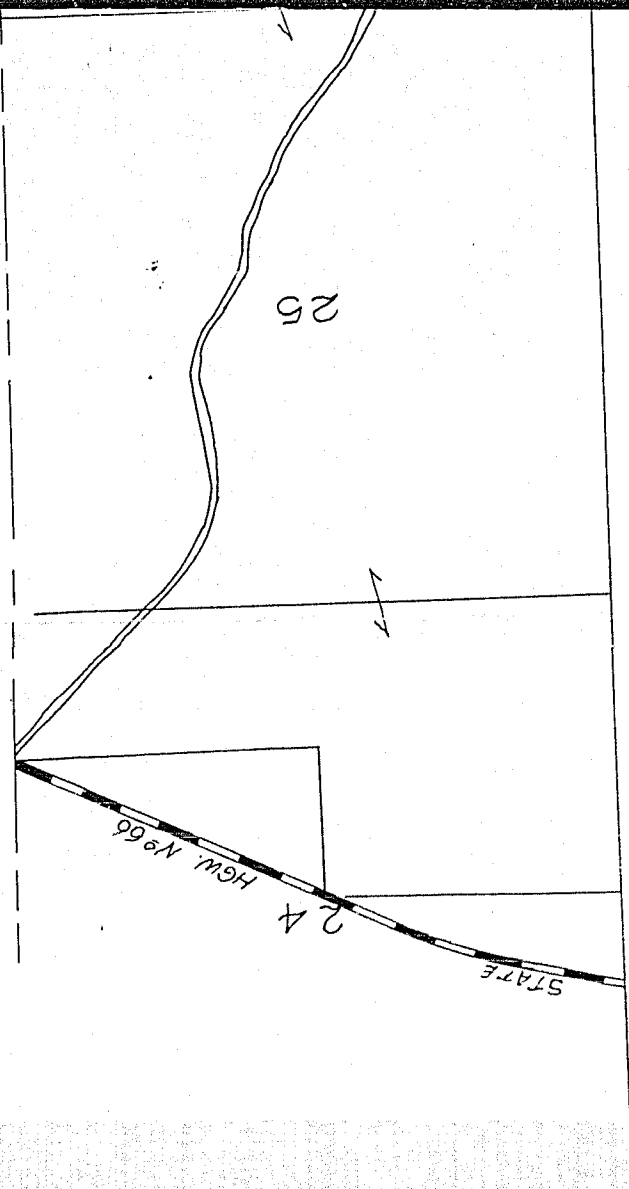


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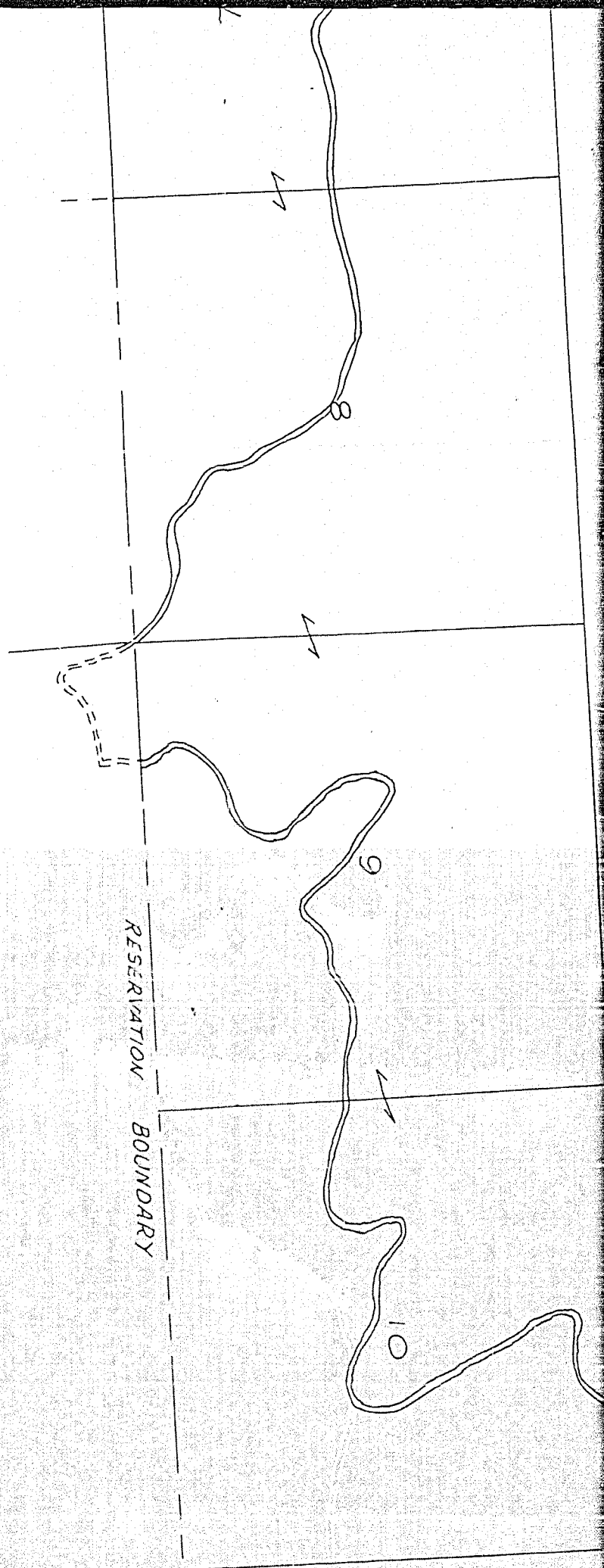
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RESERVATION BOUNDARY

EASEMENT PLAT FOR 600' R/W  
MANHATTAN SPRINGS ROAD  
ROUTE KIR S-67  
LENGTH - 13.1 MILES  
U.S. B.I.A.  
KLAMATH AGENCY, OREGON

11/10/59

SCALE - 4" = 1 MILE

DRBY-R.M.

501-KIR-S-67-1-A

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY COMMISSIONERS OFFICE

this 10th day of NOVEMBER A. D., 1972 at 12:01 o'clock P.M., and duly recorded in

Vol. M. 72, of DEEDS on Page 12958

FOR NONE

WM. D. MILNE, County Clerk

By *W. D. Milne*