

600 end

75344

Road Name & No. Boulder Creek #3618

RIGHT-OF-WAY EASEMENT DEED
(Individual)

THIS EASEMENT, dated this 4th day of April, 19 73, from Frank W. Obenchain and Ruth Obenchain, husband and wife, hereinafter called "Grantor", to the UNITED STATES OF AMERICA, hereinafter called "Grantee",

WITNESSETH:

APR 15 1 51 PM 1973

Grantor, for and in consideration of \$120.00, received by Grantor, does hereby grant and convey unto the Grantee and its assigns, an easement for a road over and across the following described lands in the County of Klamath, State of Oregon, to wit:

S1/2 N1/2 NE1/4 NE 1/4 Section 11, Township 36 South, Range 14 East of the Willamette Meridian

The said easement being variable feet in width on each side of a centerline as located on the ground, with such additional width as required for accommodation and protection of cuts and fills, the said centerline being located and described as shown on the plat which is attached hereto and made a part hereof.

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.

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

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 or hereafter growing on the easement subject to grantee's right to cut timber on the easement to the extent necessary for constructing, reconstructing, 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.

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.

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, or if at any time the Regional Forester determines that the road, or any segment thereof,

is no longer needed, 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 a statement in recordable form evidencing termination.

IN WITNESS WHEREOF, the said Grantor has hereunto subscribed his name and affixed his seal on the day and year first above written.

Frank W. Obenchain (Seal)
Frank W. Obenchain
Ruth Obenchain (Seal)
Ruth Obenchain

State of Oregon)
County of Washouchee) ss.

On this day personally appeared before me Frank W. Obenchain & Ruth Obenchain,
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 4th day of April, 19 73.



Frank W. Obenchain
Notary Public in and for the
State of Oregon
Residing at 136, Oregon
My commission expires May 17, 1973

5460
RIGHTS OF WAY ACQUIRED

FRANK OBENCHAIN
BOULDER CREEK ROAD NO. 3618
SECTION 11, T. 36S., R. 14E., W.M.
FREMONT NATIONAL FOREST
BLT, OREGON, KLAMATH COUNTY

SUBMITTED BY: Harlow DATE 1971
PLATTED BY: Carl A. Williams DATE 6/17

CHECKED BY: Chas. R. Bitt DATE 6/27/72
ZONE ENGINEER

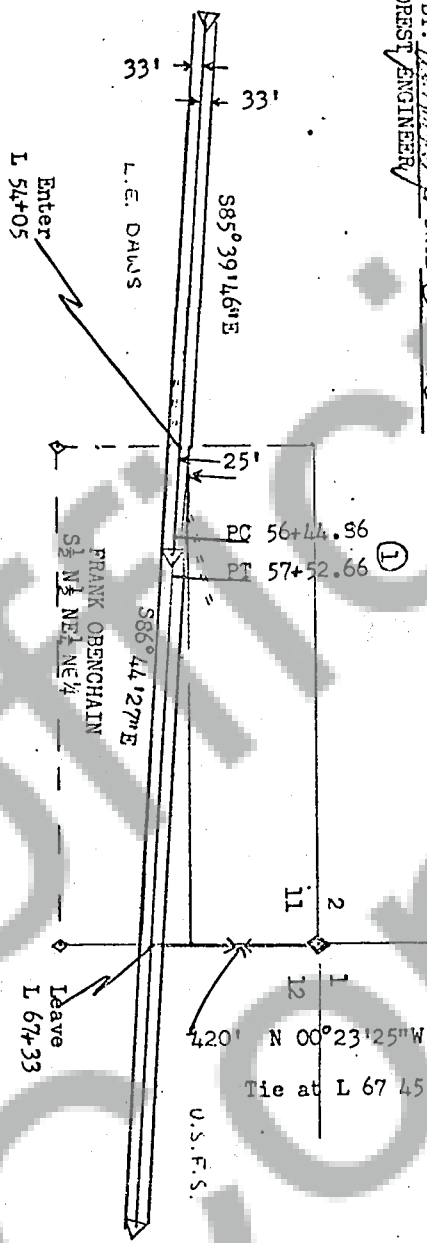
APPROVED BY: W. H. H. H. DATE 7/1/72
FOREST SUPERVISOR

RECOMMENDED BY: W. H. H. H. DATE 8-18-72
FOREST ENGINEER

LEGEND
Found Corner - - - - -
Section Line - - - - -
Section Line - - - - -
Existing Roads - - - - -

R.O.W. Contains 1.97 Acres More or Less
All Boundary Lines Are Projected

1" = 400'



1365 R14E

N 00°23'25\"W
Tie at L 67 45

U.S.F.S.

CURVE DATA

Δ	01°04'41\"L
D	1°
R	5729.58
T	53
L	107.80

Bearing 885 39'46\"E
P C 56+44.86
P I 56+98.76
P T 57+52.66
Bearing 88° 44'27\"E
Tan. 1606.20

R.O.W. Widths:

L 54+05	25' Lt. - 33'Rt.
L 56+44.86	33' Lt. - 33'Rt.
L 67+33	33' Lt. - 33'Rt.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of _____
this 13th day of April A. D., 1973 at 1:52 o'clock P M., and duly recorded in
Vol. M 73 of DEEDS on Page 1125

FEE \$ 6.00

WM. D. MILNE, County Clerk
By Hazel Dragan