

11625

EXCHANGE DEED

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THIS INDENTURE, made this 8th day of March, 1976, between the UNITED STATES OF AMERICA, acting herein by and through the Director, Division of Lands, Forest Service, Department of Agriculture, hereunto duly authorized by the Act of March 3, 1925 (43 Stat. 1215), the delegation of authority by the Secretary of Agriculture to the Assistant Secretary for Conservation, Research, and Education, and the delegation of authority from the Assistant Secretary for Conservation, Research, and Education to the Chief, Forest Service, effective June 6, 1973 (38 Fed. Reg. 14944), the delegation of authority by the Chief, Forest Service, dated June 5, 1968 (33 Fed. Reg. 8552), and the delegation of authority by the Deputy Chief, Forest Service, dated July 5, 1968 (33 Fed. Reg. 10115), the provisions of which have been complied with, Grantor, and DAYTON O. HYDE and GERDA V. HYDE, husband and wife, Grantees:

WITNESSETH: That the Grantor, for and in consideration of the conveyance to it by the Grantees of land in Klamath County, Oregon, more particularly described in the deed to the United States executed August 7, 1975, recorded August 7, 1975, in book M75 of Deeds at page 9226, re-recorded September 4, 1975, in book M75 of Deeds at page 10420, records of Klamath County, Oregon, which is of equal value to the land herein conveyed, the receipt of which is hereby acknowledged, does hereby remise, release and quitclaim to the Grantees all interest in the following-described real estate situate in the County of Klamath, State of Oregon:

T. 32 S., R. 11 E., W.M.
Section 8: NW $\frac{1}{4}$ SW $\frac{1}{4}$

T. 33 S., R. 11 E., W.M.
Section 5: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$
Section 8: NW $\frac{1}{4}$
Section 9: W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

T. 34 S., R. 9 E., W.M.
Section 15: W $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$
Section 22: W $\frac{1}{2}$ NW $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{2}$

Containing 595.00 acres.

RESERVING to the United States:

1. Right-of-way easement for existing Forest Service Road #3452 in NW $\frac{1}{4}$ NW $\frac{1}{4}$, section 22, T. 34 S., R. 9 E., W.M.

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An easement for the existing Potholes Road No. 3452, 66 feet in width, being 33 feet on each side of the centerline thereof, with as much additional width as required for adequate protection of cuts and fills, said centerline being more particularly described as follows:

Beginning at a point approximately 60 feet, more or less, south of the section corner common to sections 15, 16, 21 and 22, T. 34 S., R. 9 E., W.M.; thence southeasterly over and across the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 22 to a point on the south boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of section 22 at which point is approximately 1,320 feet south and 990 feet east of section corner common to sections 15, 16, 21, and 22, T. 34 S., R. 9 E., W.M.

2. Right-of-way easement for proposed Forest Service Road #4591 in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ section 8, T. 32 S., R. 11 E., W.M.

An easement for the proposed Forest Service Road #4591, 66 feet in width, being 33 feet on each side of the centerline thereof, with as much additional width as required for adequate protection of cuts and fills, said centerline being more particularly described as follows:

Beginning at a point 47.0 feet north of the southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of section 8, T. 32 S., R. 11 E., W.M.; thence S. 45° E., a distance of 66 feet, more or less, to a point 47.0 feet east of the southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said section 8, T. 32 S., R. 11 E., W.M.

Provided, that if for a period of five years the United States, or its assigns, shall cease to use, or preserve for prospective future use, the above roads or any segments thereof, for the purposes reserved, or if at any time the Authorized Officer determines that the roads, or any segments thereof, are no longer needed for the purposes reserved, the easement traversed thereby shall terminate. In the event of such nonuse or of such determination by the Authorized Officer, the Authorized Officer shall furnish to the patentee, its successors, or assigns, a statement in recordable form evidencing termination.

3. Reserving to the United States all gas, oil, geothermal steam and associated geothermal resources in the following-described land:

T. 34 S., R. 9 E., W.M.
 Section 15: W $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$
 Section 22: W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$

With the right to mine and remove same.

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IN WITNESS WHEREOF, the Grantor, by the Director, Division of Lands, Forest Service, Department of Agriculture, has hereunto subscribed its name and affixed the seal of the United States Department of Agriculture on this the 8th day of March, 1976.

UNITED STATES OF AMERICA

By

G. W. Van Rieat
Director, Division of Lands
Forest Service
U.S. Department of Agriculture

UNITED STATES OF AMERICA)

DISTRICT OF COLUMBIA)

ss:

ACKNOWLEDGMENT

On this 8th day of March, 1976, before me, a Notary Public within and for said District, personally appeared G. W. Van Rieat, to me personally known, who, being duly sworn by me, did say that he is the Director, Division of Lands, Forest Service, United States Department of Agriculture, and that the seal affixed to said instrument is the seal of the said Department, and that said instrument was signed and sealed in behalf of the United States of America by its authority duly given, and acknowledged that he executed the same as the free act and deed of the United States of America for the purposes and considerations therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this the day and year first above written.

(Notarial Seal)

Beverly D. Darch
Notary Public
District of Columbia
United States of America

My Commission Expires March 15, 1978
My Commission Expires _____

(Checked as to description, consideration, acreage, and conditions.
Dated this 8th day of March, 1976.

Tape 4
Ref:
Dayton G. Hale
1410. Pac. Terr
Enty

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 22nd day of MARCH A.D., 19 76 at 9:38 o'clock A.M., and duly recorded in Vol. 1176 of DEEDS on Page 4031.

FEE \$ 9.00

WM. D. MILNE, County Clerk

By Abigail D. Darch Deputy