

Certified correct as to consideration, description and conditions

Date 3/1/76

W. J. Zellerbach

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Page 28542

Road Name and No: Kirk Road #9743

RIGHT-OF-WAY EASEMENT DEED - CORPORATION
(Existing)

THIS EASEMENT, dated this 11 day of November, 19 75,
from CROWN ZELLERBACH CORPORATION, a corporation of the State of Nevada, herein-
after called "Grantor", to the UNITED STATES OF AMERICA, hereinafter called
"Grantee",

WITNESSETH:

Grantor, for and in consideration of One Thousand and no/100 (\$1,000.00)
received by Grantor, does hereby grant to Grantee and its assigns, subject to
existing easements and valid rights, a perpetual easement for a road, and that
timber within the easement which is presently marked and designated for removal
in road construction, 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 $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 33 South, Range 7
East of the Willamette Meridian

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

The work "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 work "road" shall mean roads now existing or hereafter con-
structed on the premises or any segment of such roads.

Said premises are more specifically described by a centerline description con-
tained in Exhibit B attached hereto.

Said premises shall be 33 feet on each side of the centerline with such addi-
tional width as required for accommodation and protection of cuts and fills.
If the road is located substantially as described herein, the centerline of
said road as constructed is hereby deemed accepted by Grantor and Grantee as
the true centerline 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 additional lands traversed; if any lands des-
cribed 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:

1. The right to cross and recross the premises and road at any place 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, except that timber presently marked and designated for cutting, subject to Grantee's right to cut such timber as hereinbefore provided.

It is agreed that the Grantor shall have the right to use the existing road described herein for all purposes deemed necessary or desirable by Grantor in connection with the protection, administration, management and utilization of Grantor's land or resources now or hereafter owned or controlled, subject, however, to traffic control regulations as Grantee may reasonably impose under 36 CFR 212.7 (a) (1), (2)(i) and 261.12, and the bearing of road maintenance costs proportionate to use as provided in 36 CFR 212.7(d).

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.

28544

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.

By R. L. Carlson, Vice President
Northwest Timber Division
(Title)

(Seal)
Attest:

W. B. Freck, (Secretary)

State of Oregon

County of Multnomah

ss.

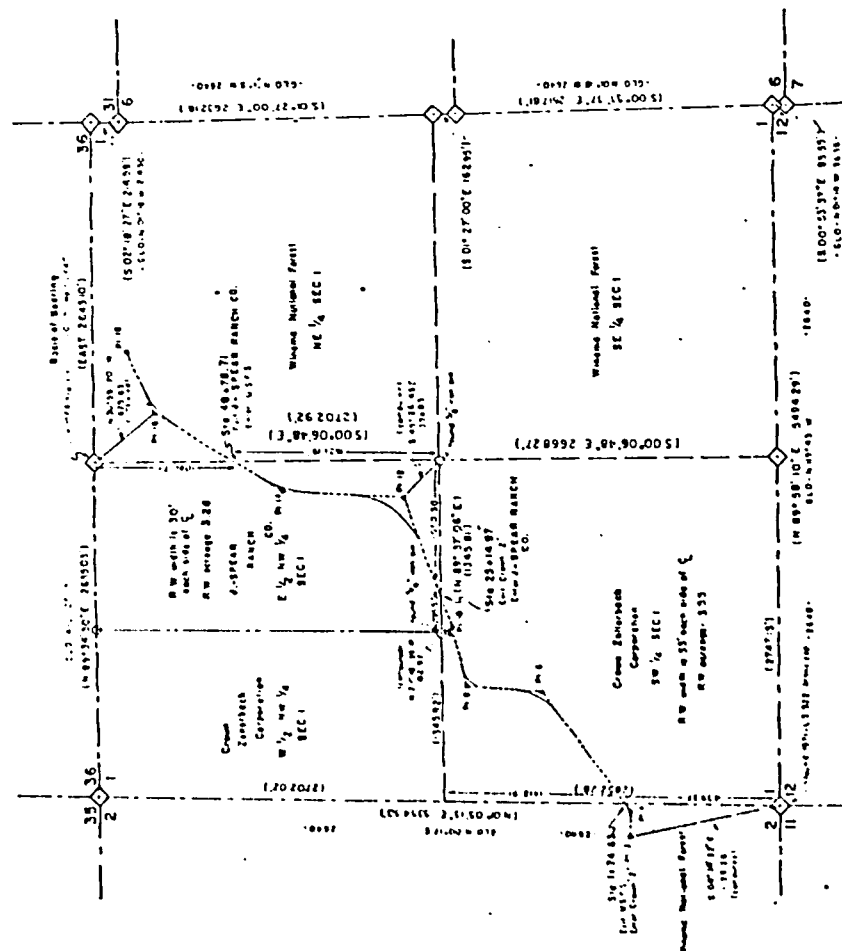
On this 6th day of December, 1979, before me the undersigned, a notary public in and for said County and State, personally appeared R. L. Carlson and W. B. Freck, known to me to be the Vice President and Assistant Secretary of CROWN ZELLERBACH CORPORATION, the Corporation that executed the within instrument, 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 persons executed the within instrument pursuant to its bylaws or a resolution of its Corporation.

WITNESS my hand and Official Seal,

Kathleen E. L. Donnell
Notary Public in and for said County
and State

My commission expires 11/6/83

EXHIBIT 'A'



5460
RIGHTS OF WAY ACQUIRED
Crown Zellerbach Corp. B J-SPEAR RANCH CO.
KIRK ROAD 9743
WINEMA NATIONAL FOREST
CHILQUIN RANGER DISTRICT
KLAMATH COUNTY, OREGON
SEC. 1, T. 33 S., R. 7 E., W.M.

"L" LINE DATA		
DI - STA	BEARING	DISTANCE
1	0+00.00	
2	0+00.00	0+00.00
3	0+00.00	0+00.00
4	0+00.00	0+00.00
5	0+00.00	0+00.00
6	0+00.00	0+00.00
7	0+00.00	0+00.00
8	0+00.00	0+00.00
9	0+00.00	0+00.00
10	0+00.00	0+00.00
11	0+00.00	0+00.00
12	0+00.00	0+00.00
13	0+00.00	0+00.00
14	0+00.00	0+00.00
15	0+00.00	0+00.00
16	0+00.00	0+00.00

CURVE DATA		
4	6	8
1	0+00.00	0+00.00
2	0+00.00	0+00.00
3	0+00.00	0+00.00
4	0+00.00	0+00.00
5	0+00.00	0+00.00
6	0+00.00	0+00.00
7	0+00.00	0+00.00
8	0+00.00	0+00.00
9	0+00.00	0+00.00
10	0+00.00	0+00.00
11	0+00.00	0+00.00
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14	0+00.00	0+00.00
15	0+00.00	0+00.00
16	0+00.00	0+00.00

Scale 0 500 1000 1500

Method of Survey: TRANSIT & CHAIN

Surveyed by: YEE and EATON

Date: NOVEMBER 1975

Drawn by: D. KARSCH

Date: MAY 1977

NOTES

LEGEND

Established Corner

Survey Line

Section Line

Survey Line

Survey Line

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28545

EXHIBIT B

28546

Beginning at Engineer's Centerline Station 1+74.63. A point which lies N 01° 05' 13" E a distance of 1239.37' on Section Line common to Sections 1, 2, 11 and 12. At this point the Centerline enters the property of the grantor. The project begins at Station 1+74.63, thence N 55° 28' 54" E a distance of 830.33' to P.C. Station 10+04.96, thence along a 10° 00' curve to the left a distance of 571.57' to the P.T. Station 15+76.53. Thence N 01° 40' 13" E a distance of 94.34' to P.C. Station 16+70.87, thence along a 30° 00' curve to the right a distance of 258.66' to P.T. Station 19+29.54, thence N 75° 55' 29" E a distance of 279.39' to P.C. 22+08.93, thence along a 04° 00' curve to the left a distance of 161.25' to P.T. Station 23+70.18, thence N 68° 28' 29" E a distance of 144.79' to Station 25+14.97' which point lies West on center quarter section line, S 89° 37' 06" W a distance of 1050.30' from the center ¼ quarter corner. The centerline leaves the property of grantor at this point containing 3.55 Acres more or less.

Mini DeFuria
Project Engineer

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.

this 12th day of December A. D. 1972, at 12:00 o'clock P.M., and

duly recorded in Vol. 1179, of Deeds on Page 28546

Wm D. MILNE, County Clerk

By Bernice D. Smith

Fee \$17.50