

USDA Forest Service

63852

Vol. 148 Page 12698

Road Name - Keno Springs
Road Number - 3726

RIGHT-OF-WAY EASEMENT DEED

THIS EASEMENT, dated this 9th day of July, 1986,
from Kenneth S. Cooney and Maria Cooney, his wife hereinafter
called "Grantor," to the United States of America, hereinafter
called "Grantee,"

WITNESSETH:

Grantor, for and in consideration of \$ 200.00, received by
Grantor, does hereby grant and convey unto the Grantee and its
assigns a perpetual easement for a road over and across the
following described lands in the County of Klamath, State of
Oregon:

Road 3726 beginning at the property line SE1/4NE1/4 of
Section 23, T.38 S., R.11 E., W.M. and crossing lands of the
GRANTOR in the SW1/4NW1/4 of Section 24, T.38 S., R.11
E., W.M. and terminating at the property line in the
SE1/4NW1/4 of Section 24, T.38 S., R.11 E., W.M.

Said easement is shown on the plat attached hereto marked Exhibit
A.

Said easement shall be 22 feet on each side of the centerline with
such additional 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 easement 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 described herein are not
traversed by the road as constructed, the easement traversing the
same shall be terminated in the manner provided.

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 U.S. Department of Agriculture, Forest
Service.

Ret: Fremont National Forest
524 North 'E' St
Lakeview, Or
97630
Attn: Richard Woodward

12699

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 their users including members of the public.

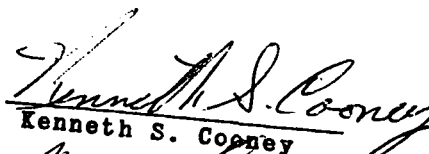
This conveyance is made subject to the following reservations by the Grantor, their heirs and assigns:

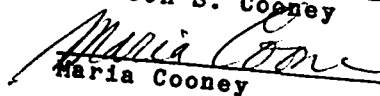
1. The right to cross and recross the easement at any point and for any purpose in such manner as will not materially interfere with the use of the road.
2. The right to all timber now or hereafter growing on the easement subject to grantee's right to cut timber on the easement to the extent necessary 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.

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 lands or resources now or hereafter owned or controlled, subject, however, to traffic-control regulations as Grantee may reasonably impose under 36 CFR 261.12, and the bearing of road maintenance costs proportionate to use as provided in 36 CFR 212.7(d).

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 determination, the Regional Forester shall furnish to the Grantor, its successors, or assigns, a statement in recordable form evidencing termination.

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


Kenneth S. Cooney

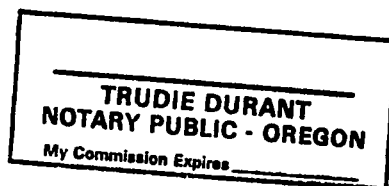

Maria Cooney

12700

State of Oregon)
) ss.
County of Klamath)

On this 9th day of July, 1986, personally appeared
before me Kenneth S. Cooney and Maria Cooney to me
known to be the identical individual described in and who executed
the within and forgoing 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.

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



Trudie Durant
Notary Public for the State of
~~Oregon~~, Residing at
~~422 Main Klamath Falls, Oregon~~
My Commission Expires 9/30/89 97601

12701

RIGHT-OF-WAY PLAT

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE - REGION SIX
FREMONT NATIONAL FOREST
KLAMATH COUNTY, OREGON

USFS ROAD NUMBER 3726
SECTION 24, T.38S., R.11E., WM.

| | |
|--------------------------------------|---------------|
| Surveyed by: James H. Richter | Date: 6/84 |
| Drawn by: James H. Richter | Date: 2/85 |
| Reviewed by: <i>Carla J. Allen</i> | Date: 4/85 |
| Approved by: <i>John H. Thompson</i> | Date: 4/26/85 |
| Approved by: <i>John H. Thompson</i> | Date: 5/6/85 |
| Acting Forest Engineer | |

5460 RIGHTS-OF-WAY ACQUIRED

COONEY, K.S. and MARIA

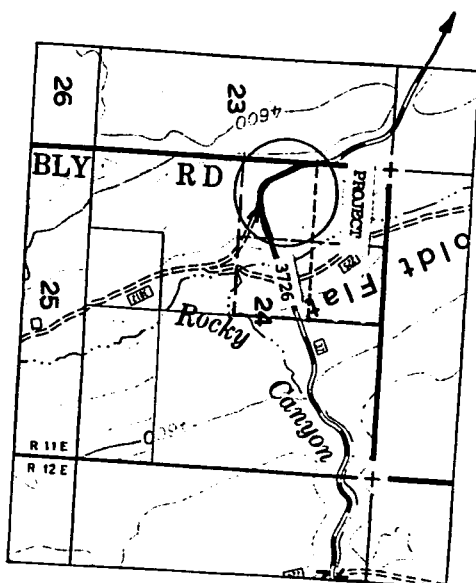
Total Acres in Right-of-Way: 2.94 Ac.
Acres in Existing Roadway: 1.11 Ac.

The Right-of-Way width is 33 feet each side of centerline.

A theodolite reading directly to 6 seconds of arc and an electronic distance measuring instrument were used for this survey.

The basis of bearing is the north line of the SW 1/4 NW 1/4 of Section 24 which is S 89° 06' 28" W, as shown on Certificate of Survey No. 3693 on file with the Klamath County Surveyor, Klamath Falls, Oregon.

Bonanza
6 Miles



R.11E.

T.38S.

Section Line
1/4 Section Line
1/16 Section Line
R.O.W. Centerline
R.O.W. Limit
Existing Road

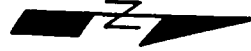
LEGEND

Land Survey Monument
Mound of Stone
Aluminum Cap
Brass Cap
Point of Intersection

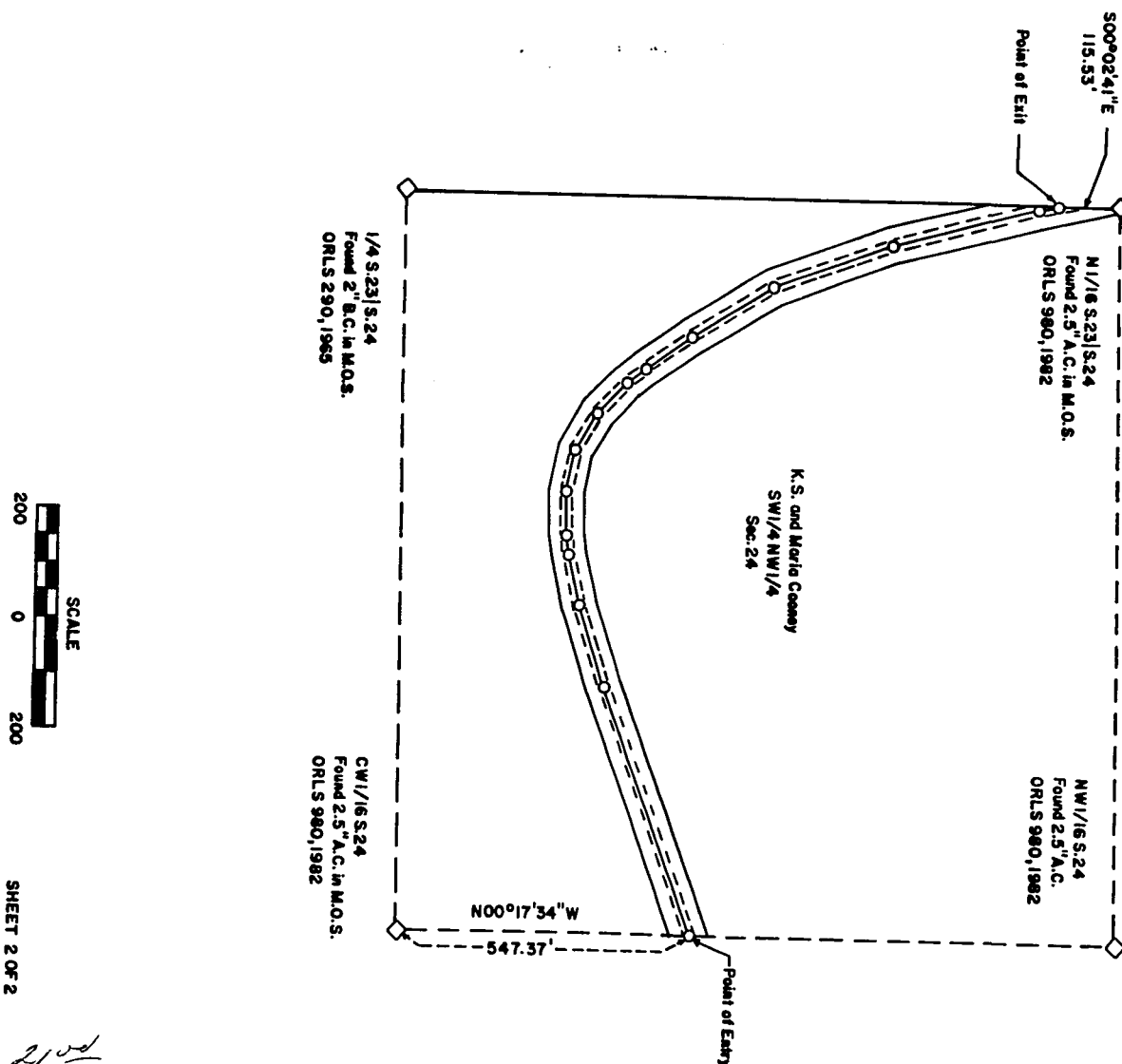
MO.S.
A.C.
B.C.

SCALE
1000 0 1000 2000 3000

SHEET 1 OF 2



| TRAVERSE TABLE | | |
|----------------|-------------|----------|
| Point | Bearing | Distance |
| Point of Entry | | |
| P.1. | S66°43'23"W | 473.26' |
| P.1. | S71°47'19"W | 155.97' |
| P.1. | S77°34'40"W | 92.49' |
| P.1. | S62°34'44"W | 36.74' |
| P.1. | S68°25'31"W | 78.78' |
| P.1. | N78°39'21"W | 75.86' |
| P.1. | N59°47'01"W | 78.01' |
| P.1. | N45°04'46"W | 76.05' |
| P.1. | N37°38'33"W | 44.06' |
| P.1. | N34°38'44"W | 104.43' |
| P.1. | N31°25'02"W | 176.91' |
| P.1. | N20°37'27"W | 231.01' |
| P.1. | N14°36'58"W | 277.90' |
| P.1. | N13°01'03"W | 38.61' |
| Point of Exit | | |



Filed for record at request of _____ the _____
of _____ July _____ A.D., 19 86 at 11:06 o'clock A M., and duly recorded in Vol. _____ M86 _____
of _____ Deeds _____ on Page 12698.

Evelyn Biehn, County Clerk
By *P. B. Biehn*