

SUPPLEMENTAL AGREEMENT

2907

THIS AGREEMENT, made and entered into this 20th day of October, 1987, by and between WEYERHAEUSER COMPANY, a Washington corporation, formerly Weyerhaeuser Timber Company, herein called "Weyerhaeuser", and KLAMATH COUNTY, a political subdivision of the State of Oregon, herein called "County", WITNESSETH:

WHEREAS, by Right of Way Easement, dated the 7th day of May, 1959, herein called "Original Agreement", Weyerhaeuser granted to County an easement for its Sand Creek-Silver Lake Road over and across portions of Sections 33 and 34, Township 28 South, Range 11 East, W.M., and Section 4, Township 29 South, Range 11 East, W.M., Klamath County, Oregon, and

WHEREAS, County, by virtue of that certain Special Use Permit, dated March 6, 1959, as amended May 6, 1959, was granted permission by the United States of America, acting by and through the Department of Agriculture, Forest Service, to construct and maintain a section of the Silver Lake County Road over and across a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 4, Township 29 South, Range 11 East, W.M., amongst other lands, and

WHEREAS, Weyerhaeuser has recently acquired said SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 4, and

WHEREAS, the parties desire to supplement the Original Agreement to include said SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 4, Township 29 South, Range 11 East, W.M.,

NOW, THEREFORE, Weyerhaeuser for and in consideration of the termination and quitclaim of County's rights held by virtue of said Special Use Permit, dated March 6, 1959, as it pertains to said Section 4, hereby grants and conveys to County, an easement of the minimum essential width, but not to exceed one hundred (100) feet, for its existing Silver Lake County Road over and across a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 4, Township 29 South, Range 11 East, W.M., Klamath County, Oregon, located approximately as shown in red on the attached Exhibit A.

In consideration of the grant hereinabove made, County hereby quitclaims and releases unto Weyerhaeuser any and all rights it holds by virtue of said Special Use Permit, dated March 6, 1959, as such rights pertain to said SE $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 4.

EXCEPT as herein supplemented, all of the terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this instrument, in duplicate, as of the day and year first above written.

KLAMATH COUNTY,  
a political subdivision  
of the State of Oregon

WEYERHAEUSER COMPANY

By: [Signature]

By: [Signature]  
Its: Forest Land Use Manager

By: [Signature]

Attest: [Signature]  
Its: Assistant Secretary

By: Out of Office Today

STATE OF WASHINGTON )  
COUNTY OF KING ) ss.

On this 17th day of April, 1987, before me personally appeared D. W. Wilbur and Robert N. Mogensen, to me known to be the Forest Land Use Manager and Assistant Secretary, respectively, of WEYERHAEUSER COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

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

[Signature]  
Notary Public in and for the State of  
Washington, residing at Seattle

My Appointment expires: March 20, 1988