

USDA Forest Service

86468

SMB TIF TRAIL NO. 8067

RIGHT-OF-WAY EASEMENT DEED

MAC 1396-137/Vol 788 Page 6150

THIS EASEMENT, dated this 23 day of March, 1988, from Paul W. Neil, hereinafter called "Grantor", to the United States of America, hereinafter called "Grantee",

WITNESSETH:

Grantor, for and in consideration of Two Hundred and no/100 Dollars (\$200.00), the receipt of which is hereby acknowledged, do hereby grant and convey to Grantee, heirs and its assigns, a perpetual easement for a trail and the timber which is currently marked and designated for removal in trail construction over and across the following described lands in the County of Klamath, State of Oregon:

Willamette Meridian

Lot 4, Section 1, T. 24 S., R. 6 E.,

The said easement is in conformity with and located upon the ground according to the survey line, figures, measurements, widths, and other references shown on the plat hereto attached and made a part hereof.

The acquiring Agency is the Forest Service, Department of Agriculture.

Grantee alone may extend rights and privileges for use of the trail to other Government departments and agencies, States, and local subdivision thereof, and to other users including members of the public.

This easement is made subject to the following terms and conditions, provided, that nothing herein contained shall obligate the Grantee beyond the extent of available authorized appropriations, or contrary to the rules, regulations, and laws applicable to the Grantee:

1. The condition that the Grantee will close the trail to public use when Grantor is conducting timber harvesting operations that would endanger trail users, provided, Grantor furnishes temporary alternate locations for the trail satisfactory to the Grantee, provided further, the closure will be made effective and alternate locations marked within 15 days of receipt of a written request from the Grantor and provided further, the Grantor shall restore the trail to the same condition that immediately preceded said closure.
2. The condition that no building, structure, or improvements of any kind, shall be constructed, erected, or moved, on the easement area, provided that nothing contained herein shall be interpreted to preclude the right to cross the easement with a road, telephone line, electric transmission line, water pipeline, sewer line, or other utility line normally used in the development of a residential or commercial use.
3. The condition that no signs, billboards, outdoor advertising structure, or advertising of any kind will be erected or displayed on the easement area by the Grantor.

CERTIFIED CORRECT AS TO CONSIDERATION,
DESCRIPTION AND CONDITIONS.
K. Smith - May 4/11/88

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4. The condition that no trash, ashes, garbage, sewage, sawdust, or any unsightly or offensive material shall be placed on the easement area by the Grantor.

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

1. The right to use the trail or any segment hereof, subject only to compliance with regulations and rules as provided in 36 CFR 261.12.
2. The right to cross and recross the easement and trail at any place by any reasonable means and for any purpose in such manner as will not unreasonably interfere with use of the trail by the United States, its authorized users, and assigns.

If, at any time, the Regional Forester determines that the trail, or any segment thereof, is no longer needed, the easement traversed thereby shall terminate, and the title to any timber then standing thereon shall revert to the landowner. In the event of such determination, the Regional Forester shall furnish to the Grantor, their successors or assigns, a statement in recordable form evidencing termination.

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

Paul W. Huil

ACKNOWLEDGMENT

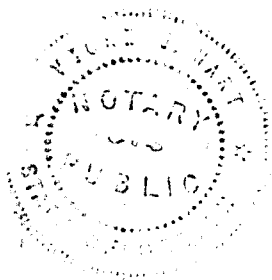
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State of OREGON
County of BENTON) ss.

On this 23rd day of March, 1988, personally appeared before me Paul Neil 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.

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

Seal



Vicki J. Hart
Notary Public for the State of OREGON
residing at Corvallis, Oregon
My commission expires 11/11/90

PAUL NEIL

Paul W. Kline

Return:

Winema National Forest
2819 Dahlia
City 97601
addn of Maru Stump

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co.
of April A.D., 19 88 at 1:49 o'clock P M., and duly recorded in Vol. M88
of Deeds on Page 6150

FEE \$15.00

Evelyn Biehn County Clerk
By Bernetha A. Detoch