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Vol. m89 Page 6541
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APR 13 1989

COUNTY CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE COUNTY OF KLAMATH, OREGONIN THE MATTER OF)
RELINQUISHING RIGHTS TO)
THE FREUER GRAVEL PIT)ORDER NO. 89-226

WHEREAS, on August 7, 1922, Klamath County entered into an Agreement with Edward and Claudine Freuer wherein Klamath County obtained a privilege for a period for 99 years to dig, quarry, mine and haul cinder or gravel for road building from property owned by the Freuers. A legal description of said property is attached hereto as Exhibit A.

WHEREAS, the current owner of the property has requested that Klamath County release its interest in said property; and


WHEREAS, the Public Works Department has reviewed the request and feels that the pit is not needed by the Road Department and recommends that the County relinquish its rights to the site;

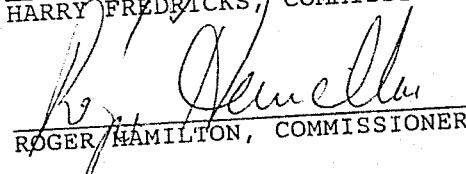
NOW, THEREFORE, IT IS HEREBY ORDERED that Klamath County hereby relinquishes any and all rights it may have pursuant to an agreement dated August 7, 1922, by and between Edwin Freuer and Claudine Freuer and Klamath County relating to the property described in Exhibit A attached hereto and by this reference incorporated herein.

DATED this 12th day of April, 1989.

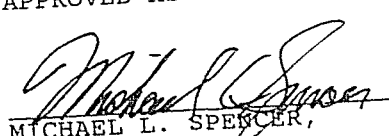
BOARD OF COUNTY COMMISSIONERS


TED LINDOW, CHAIRMAN


HARRY FREDRICKS, COMMISSIONER


ROGER HAMILTON, COMMISSIONER

APPROVED AS TO FORM:

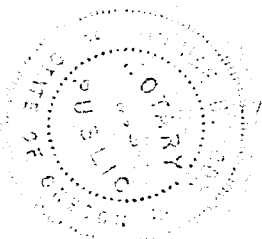

MICHAEL L. SPENCER,
COUNTY COUNSEL

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STATE OF OREGON)
)
 County of Klamath)

BE IT REMEMBERED THAT on this 12th day of April,
 1989, before me, the undersigned, appeared Ted Lindow,
 Chairman of the Board, and Harry Fredricks and Roger Hamilton,
 the County Commissioners, respectively, to me personally known, who being
 duly sworn, did say that he, the said Ted Lindow,
 is the duly elected, qualified and acting Chairman of the Board of County
 Commissioners of Klamath County, Oregon, and that they, the said Harry
Fredricks and Roger Hamilton are the duly elected, qualified and acting
 Commissioners, respectively, of said County and State; and that the seal affixed
 to said instrument is that of said County and State; and said Chairman and said
 two Commissioners acknowledge said instrument to be the free act and deed of
 said County.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and
 year first in this, my certificate, written.



James B. Cox
 NOTARY PUBLIC FOR OREGON

My commission Expires: 02-02-91

Order
#89-226

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COUNTY CLERK

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

All of the following described real property situated in Klamath County, Oregon, to wit:

Lots 4, 5, 6 and 7, the E1/2 SW1/4 and the W1/2 SE1/4 of Section 6, Township 40 South, Range 12 East of the Willamette Meridian.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Section 1 of Township 40 South, Range 11 East of the Willamette Meridian, Less 7.61 acres, conveyed to Klamath County, Oregon, by deed dated February 20, 1939 recorded March 18, 1939 in Deed Volume 121, page 110, Records of Klamath County, Oregon.

EXCEPTING a parcel of land situate in Section 1, Township 40 South, Range 11 East of the Willamette Meridian and Section 6, Township 40 South, Range 12 East of the Willamette Meridian, lying Easterly of the Malin to Bonanza Highway and being more particularly described as follows: Beginning at a Brass Cap Monument marking the Northeast corner of Section 1, Township 40 South, Range 11 East of the Willamette Meridian and the Northwest corner of Section 6, Township 40 South, Range 12 East of the Willamette Meridian; thence North 89 degrees 38 feet 05" East 351.00 feet to a 5/8" iron pin marking the Northeast corner of Lot 4 in said Section 6; thence along the Easterly line of Lots 4 and 5 in said Section 6, South 0 degrees 14' 45" West 2717.00 feet to a 5/8" iron pin and existing East-West fence line; thence along an existing fence line West 339.55 feet, South 77 degrees 50' 15" West 217.85 feet, North 71 degrees 15' 05" West 547.30 feet, North 50 degrees 17' 15" West 72.15 feet, and North 38 degrees 12' 10" West 233.05 feet, more or less, to a point on the Easterly right-of-way line of the Malin to Bonanza Highway, as the same is presently located and constructed; thence North 13 degrees 48' 45" East along said Easterly right-of-way line 2426.8 feet, more or less, to a point on the North line of Section 1, Township 40 South, Range 11 East of the Willamette Meridian; thence Easterly along the Section line 351.7 feet, more or less, to the point of beginning.

Lots 15 and 16 in Section 1 of Township 40 South, Range 11 East of the Willamette Meridian, lying Easterly of Bonanza to Malin Highway, LESS AND EXCEPTING the following described parcel: A piece or parcel of land containing 1.73 acres, more or less, and being a portion of Lots 15 and 16, Section 1, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, and more particularly described as follows: Beginning at a point in the Easterly boundary line of the right of way of Bonanza to Malin Highway, as the same is now located and constructed, said right of way line being 40.0 feet distant at right angles Southeasterly from the center line of said highway from which point the Northeast corner of said Section 1, bears North 18 degrees 14' East 4594.8 feet distant, and running thence South 88 degrees 05 1/2' East 330.76 feet; thence South 2 degrees 33 1/2' West 219.42 feet, thence North 86 degrees 47' West 373.47 feet, more or less, to a point in said right of way line, thence North 13 degrees 58' East along said right of way line 215.59 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM a parcel of land situated in portions of Government lots 15 and 16 in Section 1, Township 40 South, Range 11 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point on the Easterly right of way line of the Bonanza to Malin Highway as the same is presently located and constructed, said right of way line being 40.0 feet distant at right angles Southeasterly from the centerline of said highway from which point the Northeast corner of Section 1, Township 40 South, Range 11 East of the Willamette Meridian bears North 18 degrees 02' 30" East 4809.8 feet distant, said point being at the Southwesterly corner of the Bedfield Cemetery property; thence South 86 degrees 47' East along the Southerly boundary of said cemetery 340.0 feet to a point; thence South 13 degrees 58' West 822.2 feet, more or less, to the South line of Government Lot 15; thence along the South line of said Lot 15 South 88 degrees 42' West 346.3 feet, more or less, to a point on the Easterly right of way line of the Bonanza to Malin Highway; thence along said right of way line North 13 degrees 58' East 850.0 feet, more or less, to the point of beginning.

Tax Account No.: 4012 00000 01400
4011 00100 00200

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 18th day
of April A.D., 19 89 at 3:51 o'clock P.M., and duly recorded in Vol. M89,
of Deeds on Page 6541.
By Evelyn Biehn County Clerk
D. A. ...

FEE none

Return: Commissioners Journal