

USDA Forest Service

Road Number 3753

RIGHT-OF-WAY EASEMENT DEED

THIS EASEMENT, dated this 22nd day of January, 1990, from Clement O. Lesueur and Sylvia C. Lesueur 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:

T. 38 S., R. 12 E., W.M.  
sec. 19 NW1/4NE1/4

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

Said easement shall be 66 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.

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 other users including members of the public.

90 FEB 5 PM 2 18

Certified Correct as to conditions and consideration  
Date 1/24/90 [Signature]  
Title Forest

Forest Natural Forest  
524 N.G. St.  
Soleview, Or. 97630

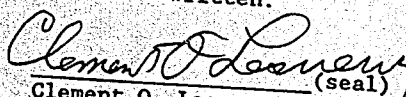
This conveyance is made subject to the following reservations by the Grantor, its heirs and assigns:

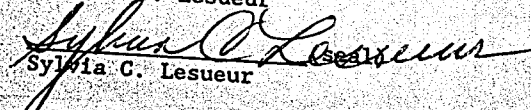
1. The right to cross and recross the easement at any point and for any purpose in such manner as will not materially interfere with the use of the road.
2. The right to all timber now or hereafter growing on the easement subject to grantee's right to cut timber on the easement to the extent necessary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

  
Clement O. Lesueur (seal)

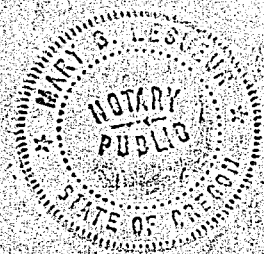
  
Sylvia C. Lesueur

## ACKNOWLEDGEMENT

State of OREGON                     )  
   ) ss.  
 County of KLAMATH                )

On this 22nd day of January, 1990, personally appeared before me  
Clement Lesueur and Sylvia Lesueur 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.



Mary S. Lesueur  
 Notary Public for the State of  
Oregon, Residing  
 at Klamath County  
 My Commission Expires 1-15-92

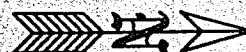


## NOTES

Centerline of existing road was determined from the Beatty S.E. Orthophoto Quad Map prepared by the U.S. Forest Service, the location being digitized and recalled for this drawing. All corner ties were performed in the field 9/78. Distances were measured by electronic distance measuring instrument along the property line as posted to the centerline of the existing road. Bearings are based on the record bearings shown on Survey Plat number 3394 which were based on a Solar Observation. This plat is on file with the Klamath County Surveyor. The R.O.M. is 66 feet in width 33 feet on either side of centerline. The route being acquired extends from and terminates at the true property line.

## EXHIBIT A

SHEET 1 of 1



Section 19  
CLEMENT O. LESUEUR  
and  
SYLVIA C. LESUEUR

NM1/4 NE1/4  
Sec. 19

End R.O.M.

FREEMONT  
NATIONAL  
FOREST

S. 89°29'43"E.  
530.6 Ft.

N. 89°53'16"W.  
929.6 Ft.

CN1/16 S. 19

FREEMONT  
NATIONAL  
FOREST

Begin R.O.M.

## LEGEND

Corner and accessories found  
as recorded.

Corner found - not tied

Existing Road - Centerline  
Proposed R.O.M.

Section line

1/4 Section line

1/16 Section line

R.O.M. ACRES

Section 19 2.1 Ac.

AREA ENCOMPASSED BY  
EXISTING ROAD: 0.6 Ac.



SCALE IN FEET

PROJECT: Road No. 3753

SEC. 19, T.38 S., R.12 E., M.M.

Method of Survey: Theodolite/EDM

Date of Plat: 2/3/89

5460 RIGHT-OF-WAY ACQUISITION

USDA FOREST SERVICE

PACIFIC NORTHWEST REGION

FREEMONT NATIONAL FOREST

Klamath County, Oregon

Surveyed by: JAMES H. RICHTER Date: 8/78

Reviewed by: *John H. Thompson* Date: 2/6/89

Accepted by: *Donald L. Thompson* Date: 9/8/89

Property Owner: CLEMENT O. LESUEUR and SYLVIA C. LESUEUR

STATE OF OREGON: COUNTY OF KLAMATH: SS.

Filed for record at request of \_\_\_\_\_ the 6th day  
of Feb. A.D. 19 90 at 2:18 o'clock P.M., and duly recorded in Vol. M90  
of \_\_\_\_\_ Deeds on Page 2534

Evelyn Biehn County Clerk

By *Paula Mullendar*

FEE \$23.00