

76285

02-17-94A09:46 RCVD

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WHEN RECORDED MAIL TO:

SEND TAX STATEMENT TO:

Winema National Forest
2819 Dahlia Street
Klamath Falls, OR 97601
ATTN: Dolly Stangl

Tax Exempt

USDA Forest Service

Road 5800-070

RIGHT-OF-WAY EASEMENT DEED

mxc 26519

THIS EASEMENT, dated this 24 day of July, 1993, from Donald M. and Phyllis E. Lefler, husband and wife, as tenants by the entirety, hereinafter called "Grantor," to the United States of America, hereinafter called "Grantee,"

WITNESSETH:

Grantors, for and in consideration of THREE HUNDRED DOLLARS (\$300.00), received by Grantors, do hereby grant and convey unto 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. 34 S., R. 7 E., W.M.,
sec. 35, N1/2N1/2N1/2NW1/4SW1/4.

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

Said easement shall be 33 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 Grantors 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 Grantors 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 hereinafter provided.

Together with such reasonable rights of temporary use of the Grantors' 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.

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

Certified correct as to acreage, consideration, description and conditions
this 5th day of August of 1993

Marian R. Stangl

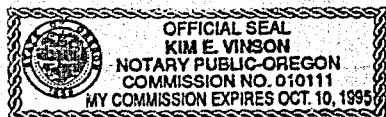
1. The right to cross and recross the easement at any point and for any purpose in such manner as will not materially interfere with the use of the road.

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 Grantors.

It is agreed that the Grantors shall have the right to use the existing road described herein for all purpose deemed necessary or desirable by Grantors in connection with the protection, administration, management, and utilization of Grantors' 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 Grantors, their heirs or assigns, a statement in recordable form evidencing termination.

IN WITNESS WHEREOF, said Grantors have hereunto subscribed their names on the day and year first above written.



Donald M. Lefler
Donald M. Lefler
Phyllis E. Lefler
Phyllis E. Lefler

ACKNOWLEDGMENT

State of Oregon)
County of Clatsop) ss.

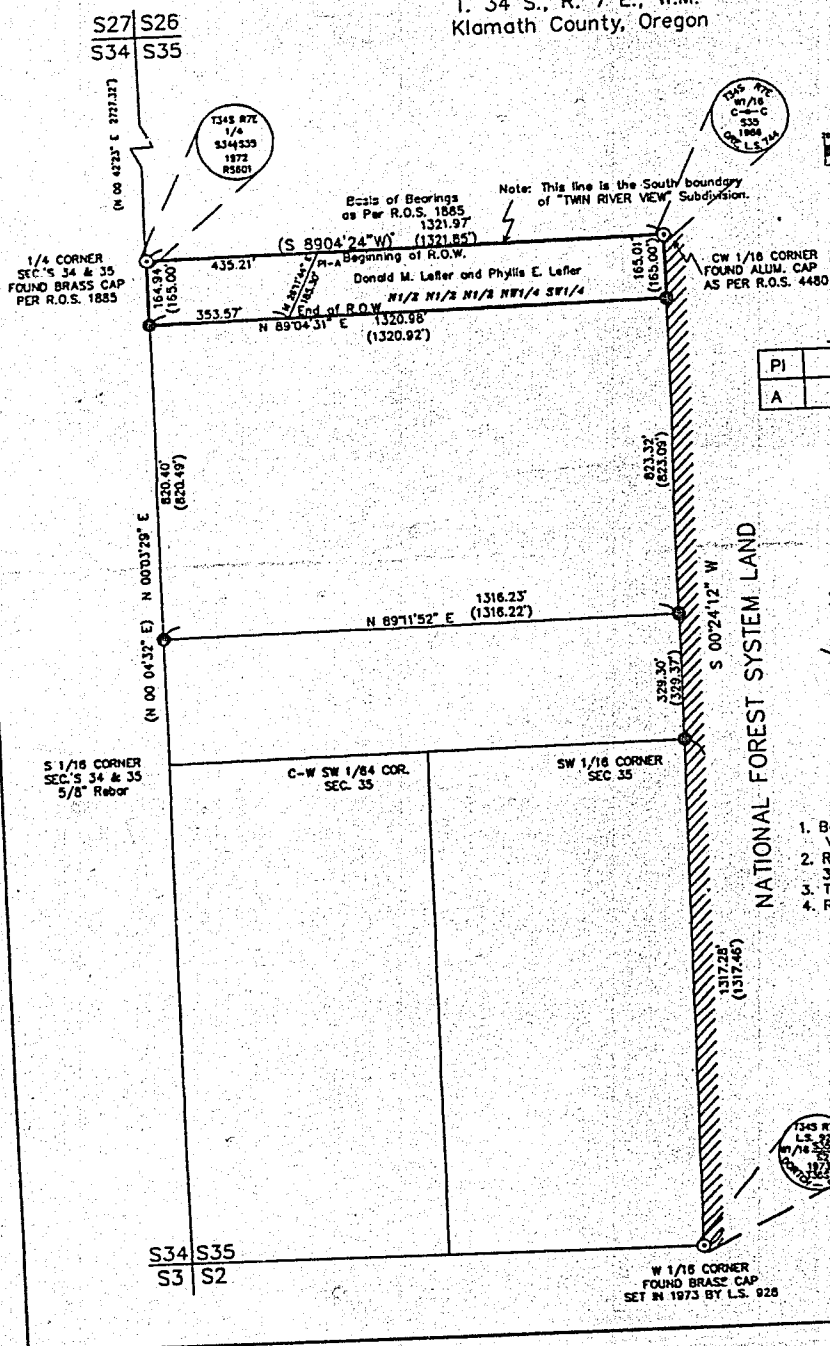
On this 28 day of July, 19 93, personally appeared before me Donald M. and Phyllis E. Lefler to me known to be the identical individuals described in and who executed the within and foregoing instrument and acknowledged to me that they signed and executed the same as their free and voluntary act and 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.

Kim E. Vinson
Notary Public for the State of Oregon
My commission Expires Oct 10, 1995

5286

SCALE



NOTES:

1. Basis of Bearings---- R.O.S. 1885
Via Solar Observation
2. Right-Of-Way width shall be 66 feet
33 feet each side of centerline
3. Total acreage of Right-of-Way is 0.280 acre.
4. Route being acquired extends from and
terminates at the true property line.

STATE OF OREGON: COUNTY OF KLAMATH: ss. _____ the 17th day
Filed for record at request of Mountain Title Co
of Feb. A.D., 19 94 at 9:46 o'clock AM., and duly recorded in Vol. M94,
of _____ Deeds _____ on Page 5284.
_____ Evelyn Biehn _____ County Clerk

FEE \$20.00