

76286

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WHEN RECORDED MAIL TO: 02-17-94 09:46 RCVD 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

m9c 26521
RIGHT-OF-WAY EASEMENT DEED

THIS EASEMENT, dated this 11th day of OCTOBER, 1993, from William T. and Leona F. Bain, 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 SIX HUNDRED FIFTY-FIVE DOLLARS (\$655.00), 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, S1/2N1/2N1/2NW1/4SW1/4, S1/2N1/2NW1/4SW1/4, and
 N1/2S1/2NW1/4SW1/4.

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.

Murphy A. Stangl

This conveyance is made subject to the following reservations by Grantors, their 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 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.

William T. Bain
William T. Bain

Leona F. Bain
Leona F. Bain

ACKNOWLEDGMENT

State of CALIFORNIA)
County of ORANGE) ss.

On this 11th day of October, 1993,
personally appeared before me William T. and Leona F. ~~Bein~~ 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.



Angela Capritta

Notary Public for the State of _____
My commission Expires 11-5-93

FILE DESIGNATION 5450

5290

S27	S26
S34	S35

1/4 CORNER
SEC.'S 34 & 35
FOUND BRASS CA
SEP 20 1985

Basis of Bearings
as Per B.O.S. 1885

Note: This line is the South boundary
of "TWIN RIVER VIEW" Subdivision

1321.97
(S 89°04'24" W)(1321.85")

11° E (1320.92")
1320.98"

CW 1/16 CORNER
FOUND ALUM. CAP
15 FEB B.O.S. 4480

SCAI F

TRAVERSE DATA

PI	Q OFFSET	ROAD WIDTH
B	39.5' LEFT	10.5'
C	0.0'	10.5'

LEGEND

- FOUND MONUMENT (AS DESCRIBED)
 ● FOUND 5/8" REBAR (PER P.O.S. 4171)
 (XXX) RECORD BEARING/DISTANCE
 // POSTED & BLAZED BOUNDARY LINE
 ————— PROPERTY LINE
 \ / EXISTING ROAD TRAVERSE

NOTES:

1. Basis of Bearings--- R.O.S. 1885 by 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 1.377 acres.
4. Route being acquired extends from and terminates at the true property line.

S34	S35
S3	S2

W 1/16 CORNER
FOUND BRASS CAP



FOREST SERVICE

METHOD OF SURVEY: TRAVERSE WITH LIEZT SET-2 TOTAL STATION
and SOR-28 DATA COLLECTION

SUBMITTED BY: JIMANILSON & AUSTIN DATE: NOVEMBER 1991
DRAWN BY: JIMANILSON DATE: DECEMBER 1991
REVIEWED BY: [Signature] (FOREST AND SURVEY)
APPROVED BY: [Signature] (FOREST ENGINEER)

Filed for record at request of Mountain Title co the 17th day
of Feb. A.D., 19 94 at 9:46 o'clock A.M., and duly recorded in Vol. M94,
of Deeds on Page 5287.

FEE \$25.00

Evelyn Biehn County Clerk

By Danise Mullenbach