

RELEASE OF A PORTION OF AN EASEMENT

GRANTOR: Weyerhaeuser Company, a corporation

GRANTEE: Owners of Record

Recitals:

A. The State of Oregon, pursuant to a Consent Instrument from the United States of America recorded in Volume 322 Page 386 of Deed Records of Klamath County, Oregon, deeded various non-exclusive easements for the benefit of third parties in a portion of Sections 14 and 15, Township 38 South, Range 9 East of the Willamette Meridian in Klamath County, Oregon.

B. The State of Oregon acting by and through the State Board of Education by an Easement For Right of Way, recorded in Volume 322 Page 629 and re-recorded in Volume 326 Page 584 of Deed Records of Klamath County, Oregon, granted to the Grantor and other third parties a Right of Way through a portion of Sections 14 and 15, Township 38 South, Range 9 East of the Willamette Meridian.

C. The State of Oregon acting by and through the State Board of Education by an Easement, recorded in Volume 343 Page 515 of Deed Records of Klamath County, Oregon, granted to the Grantor and other third parties a right of way and easement for roadway purposes through a portion of Sections 14 and 15, Township 38 South, Range 9 East of the Willamette Meridian.

D. The portion of the easement to be vacated is that portion of the easement described in the above mentioned Deed Records, commencing at a point described as follows:

From the section corner common to Sections 15, 14, 22 and 23, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and running thence along the south line of Section 15 S 89° 23' W 1338.33 feet to the Southwest corner of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 15, thence N 00° 21' 43" E 1861.8 feet to a point near the center line of the existing asphalt roadway known as Old Fort Road; thence N 20° 20' E 48.66 feet to a point on the easterly edge of the existing R.O.W. of Old Fort Road.

And extending in an Easterly and Southeasterly direction along said easement through the East half of Section 15 and the West half of the West half of Section 14 (the "Vacated Easement"). Such Easement is more generally described as follows:

From the section corner common to Section 15, 14, 22, and 23, Township 38 South, Range 9 East Willamette Meridian, Oregon, and running thence along the south line of Section 15 S 89° 23' W 1338.33 feet to the Southwest corner of the Southeast quarter of the Southeast quarter (SW cor. SE $\frac{1}{4}$ , SE $\frac{1}{4}$ ) of Section 15, thence N 00° 21' 43" E 1861.8 feet to a point near the center line of the existing asphalt roadway known as Old Fort Road; thence N 20° 20' E 48.66 feet to a point on the easterly edge of existing R.O.W. of Old Fort Road which is the true point of beginning of this easement; thence N 20° 20' E 362.66 feet to a point; thence along the arc of a 31.5° circular curve to the right 327.14 feet whose long chord bears N 71° 51' 30" E 284.81 feet distant; thence S 56° 37' E 201.87 feet; thence along the arc of a 58.5° circular curve to the right 118.23 feet whose long chord bears N 88° 48' E 111.14 feet distant; thence N 54° 13' E 498.50 feet to a point; thence along the arc of a 10° circular curve to the right 84.7 feet whose long chord bears N 58° 27' E

1. RELEASE

480  
cl

84.6 feet distant; thence N 62°41' E 87.55 feet to a point; thence along the arc of a 17.3° circular curve to the right 152.9 feet whose long chord bears N 75°54'30" E 151.54 feet distant; thence N 89°08' E 103.20 feet to a point; thence along the arc of a 77.3° circular curve to the left 47.6 feet whose long chord bears N 70°43' E 46.82 feet distant; thence N 52°18' E 47.97 feet to a point; thence along the arc of a 98.8° circular curve to the right 82.0 feet whose long chord bears S 87°12'30" E 75.32 feet distant; thence S 46°43' E 364.84 feet to a point; thence along the arc of a 14.9° circular curve to the right 140.5 feet whose long chord bears S 36°15' E 139.70 feet distant; thence S 25°47' E 80.08 feet to a point; thence along the arc of a 25° circular curve to the left 133.1 feet whose long chord bears S 42°25' E 131.22 feet distant; thence S 59°03' E 88.03 feet to a point; thence along the arc of a 24.4° circular curve to the right 189.3 feet whose long chord bears S 35°57' E 184.24 feet distant; thence S 12°51' E 433.23 feet to a point; thence along the arc of a 16.5° circular curve to the left 138.4 feet whose long chord bears S 24°16' E 137.45 feet distant; thence S 35°41' E 152.44 feet to a point; thence along the arc of a 55.6° circular curve to the right 45.0 feet whose long chord bears S 23°11' E 44.59 feet distant; thence S 10°41' E 49.28 feet to a point; thence along the arc of a 53.8° circular curve to the left 62.2 feet whose long chord bears S 27°24'30" E 61.3 feet distant; thence S 44°08' E 350.75 feet to a point; thence along the arc of a 13.2° circular curve to the right 130.9 feet whose long chord bears S 35°29'30" E 130.46 feet distant; thence S 26°51' E 219.55 feet to a point; thence along the arc of a 52.6° circular curve to the left 85.3 feet whose long chord bears S 49°17'30" E 83.15 feet distant; thence S 71°44' E 54.45 feet to a point; thence along the arc of a 45° circular curve to the right 95.4 feet whose long chord bears S 50°16' E 93.17 feet distant; thence S 28°48' E 61.89 feet to a point; thence along the arc of a 15.2° circular curve to the left 128.7 feet whose long chord bears S 38°35' E 128.09 feet distant; thence S 48°22' E 80.49 feet to a point; thence along the arc of a 12.5° circular curve to the right 147.2 feet whose long chord bears S 39°10' E 146.58 feet distant; thence S 29°58' E 112.48 feet to a point on the south line of Section 14, Township 38 South, Range 9 East, Willamette Meridian from which the corner common to Sections 14, 15, 22, and 23 bears S 89°23' W 2203.97 feet distant.

E. The Grantees are the owners of a portion of the subservient estate in Sections 14 and 15, Township 38 South, Range 9 East of the Willamette Meridian and are platting the real property into lots, blocks and roadways. The roadways will be dedicated to the public and will become Roads of Klamath County, Oregon. Klamath County, Oregon can not accept said roadways if there are underlying easements or other outstanding interests of third parties in the roadways.

F. The proposed roadway of Scott Valley Drive will extend from the approximate beginning point of the easements of the Grantors described herein on the Easterly boundary of Old Fort Road and extend generally along the easements of the Grantor across the real property of the Grantees in Sections 14 and 15, Township 38 Range 9 East of the Willamette Meridian.

-QUITCLAIM-

Grantor releases and quitclaims to Grantee all right, title and interest in and to the Vacated Easement.

The purpose of this conveyance is to release and relinquish all the right, title and interest of the Grantor in the premises by reason of the easements granted to Grantor so that the road hereinabove described may become a County Road (Scott Valley Drive). This conveyance shall become effective ONLY at such time as said Scott Valley Drive is dedicated as a county road. In the absence of such dedication, no conveyance, release or relinquishment are hereby made.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate City or County Planning Department to verify approved use.

DATED this 21st day of July, 1994.

Weyerhaeuser Company, a corporation

By:

Vice President

Attest:

Assistant Secretary

STATE OF WASHINGTON)

SS.

COUNTY OF KING

Personally appeared before me, the undersigned authority in and for said county and state, on this 21st day of July, 1994, within my jurisdiction, the within named John P. McMahon, who acknowledged that he is Vice President of WEYERHAEUSER COMPANY, a Washington corporation, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

G.W. BJERKE  
STATE OF WASHINGTON  
NOTARY PUBLIC  
My Commission Expires 2-20-96

Notary Public for Washington  
My Commission expires: March 20, 1996

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness & Brandsness the 26th day of July, A.D., 19 94 at 3:50 o'clock P M., and duly recorded in Vol. M94, of Deeds on Page 22912.

Evelyn Biehn - County Clerk

By

**FEE \$40.00**

Return: Brandsness & Brandsness  
411 Pine, Klamath Falls, Or. 97601

### 3. RELEASE

mbk01.003