

03 APR 1 PM 2:39

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
BUREAU OF LAND MANAGEMENT

State of Oregon, County of Klamath  
Recorded 04/01/2003 2:39 p.m.  
Vol M03 Pg 19645-48  
Linda Smith, County Clerk  
Fee \$ 36.00 # of Pgs 4

PERPETUAL  
NONEXCLUSIVE ROAD EASEMENT

Tract No.  
OR53854 PT

For and in consideration of rights granted by the United States through issuance of Right-of-Way Grant OR 53854 FD,

ROBERT E. HITSON AND GEORGIE M. HITSON, TRUSTEE UNDER  
TRUST AGREEMENT DATED SEPTEMBER 21, 1993, as to an undivided 70%  
interest; AND MICHAEL DAVID HITSON as to an undivided 30% interest,

hereinafter called Grantor, whether one or more, does hereby grant unto the UNITED STATES OF AMERICA, and its assigns, a perpetual nonexclusive easement to use, maintain, improve and repair an existing road over and across the following described real property situated in the County of Klamath, State of Oregon, to wit:

A parcel of land lying in the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) and the South Half of the Northeast Quarter (S1/2NE1/4) of Section 14, Township 40 South, Range 7 East of the Willamette Meridian, said parcel being all that portion of said property contained within a strip of land 40 feet in width, being 20 feet on each side of the centerline as shown and more particularly described on Exhibit A, attached hereto and made part hereof. The Bearings and Distances were determined through the use of Pseudo range Global Positioning System techniques.

The parcel of land to which the above description applies contains 3.01 acres, more or less.

When an authorized officer of an agency of the United States determines that the road above described might be used for the sale of resources from lands administered by the agency, the contract for such resources will provide that if the purchaser shall use the road, he shall do so subject to the following provisions:

1. Grantee shall cause the road, which is located on the above-described land, to be maintained in good repair during periods of use by Grantee or its licensees and to be left in as good a condition as prior to such use.
2. Grantor, its successors and assigns, reserves title to all timber, now or hereinafter growing, standing or down, within the above described right-of-way. Grantee may fell all timber within the right-of-way and danger trees adjacent to the right-of-way for construction, operation, and maintenance of a road. Trees felled of commercial value shall be bucked into standard log lengths and decked adjacent to the right-of way in a manner suitable for loading with mobile loading equipment.

The easement herein granted is for the full use of the above described property as a road by the UNITED STATES OF AMERICA, and its licensees, and is subject to the effect of reservations and leases, if any, of oil, gas, and minerals in and under said land.

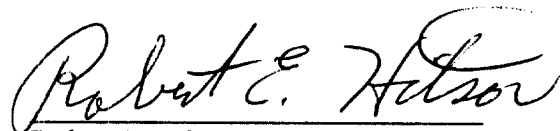
TO HAVE AND TO HOLD said easement unto the UNITED STATES OF AMERICA and its assigns forever.

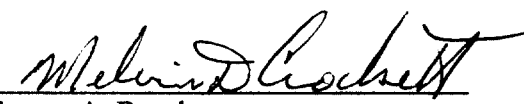
Grantor covenants and warrants that he is lawfully seized and possessed of the land aforesaid and has the full right, power and authority to execute this conveyance, and that said land is free and clear of liens, claims or encumbrances, except as shown above, and that he will defend the title to the easement conveyed herein and quiet enjoyment thereof against the lawful claims and demands of all persons.

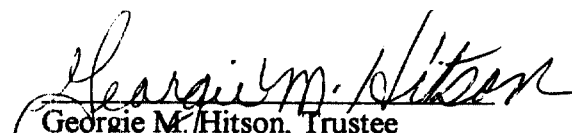
The acquiring agency is the Bureau of Land Management, Department of the Interior.

Dated this 1<sup>st</sup> day of April, 2003.

Accepted subject to approval of title  
by the Department of Justice.

  
Robert E. Hitson

  
For Teresa A. Raml,  
Klamath Falls Resource Area

  
Georgie M. Hitson, Trustee

  
Michael David Hitson

## DUAL ACKNOWLEDGEMENT

STATE OF Oregon )  
 ) ss:  
 COUNTY OF Klamath )

On the 28<sup>th</sup> day of March, 2003, before me personally appeared Robert E. Hitson and Georgie M. Hitson, whose identify was proven to me on the basis of satisfactory evidence to be the persons whose name is subscribed to this instrument, and acknowledged that they executed the same.

*Courtney C Cook*  
 Notary Public in and for the  
 State of Oregon  
 My commission expires: 12-19-2003

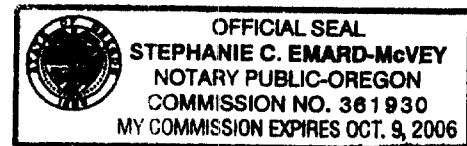


## INDIVIDUAL ACKNOWLEDGEMENT

STATE OF Oregon )  
 ) ss:  
 COUNTY OF Klamath )

On the 1<sup>st</sup> day of April, 2003, before me personally appeared Michael David Hitson, whose identify was proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he executed the same.

*Stephanie C Emard-McVey*  
 Notary Public in and for the  
 State of Oregon  
 My commission expires: 10-9-2006



## AGENCY ACKNOWLEDGEMENT

STATE OF Oregon )  
 ) ss:  
 COUNTY OF Klamath )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2003, before me personally appeared Teresa A. Raml, whose identify was proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that she executed the same.

Notary Public in and for the  
 State of Oregon  
 My commission expires:

