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File 7035005
Drawing 1R-3-1728

Vol M03 Page 67571

State of Oregon, County of Klamath
Recorded 09/11/03 9:42 a. m
Vol M03 Pg 67571-74
Linda Smith, County Clerk
Fee \$ 26.00 C# of Pgs 4

PERMANENT WETLAND EASEMENT

MICHAEL R. LOVE, Grantor, for the true and actual consideration of \$ 4,475.00, does grant to the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, its successors and assigns, a permanent easement to preserve the wetland and natural state of the property described as Parcel 1 on Exhibit "A" dated 6/20/2003 attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that this easement shall include the right to enter upon said easement area for the purpose of planting, digging, cleaning and performing such other activities as benefit wildlife and otherwise preserve the natural state of said easement area.

IT IS FURTHER UNDERSTOOD that the easement area cannot be dredged, filled, contaminated by any waste or toxic materials, or drained.

Grantor shall, however, retain those rights which do not conflict with the easement rights herein granted on and over said property, or interfere with the wetland and natural state of said easement area. Grantor shall not however convey easement rights to others on, over or under said easement area without the written consent of Grantee.

Grantor also grants to Grantee, its successors and assigns, a temporary easement for the construction, operation, and maintenance of an access road over and across the property described as Parcel 2 on Exhibit "A" dated 6/20/2003 attached hereto and by this reference made a part hereof.

RETURN TO AND TAX STATEMENT TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM OR 97301-3871

Account No.: 34-08-21A-201 and 34-08-21D-3000

Property Address: off Green Forest Drive
Chiloquin, OR 97624

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cew

36 C. 0903-700

IT IS UNDERSTOOD that this easement does not convey any right or interest in the above-described Parcel 2, except for the purposes stated herein. ALSO, Grantor reserves the right to use said road and/or to convey the right to others to use said road.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate seven (7) years from the date hereof. The use of vehicular traffic will be allowed until the wetland site described in the above-referenced Parcel 1 is constructed, then only foot traffic will be allowed for the remainder of the seven (7) year time period.

Grantor covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 25th day of August, 2003.

Michael R. Love
Michael R. Love

STATE OF OREGON, County of Hamath

Dated 8-25-, 2003 Personally appeared the above named Michael R. Love, who acknowledged the foregoing instrument to be his voluntary act. Before me:

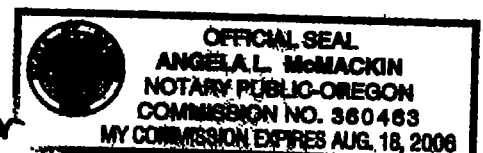
AR
Notary Public for Oregon

My Commission expires 8-18-06

Accepted on behalf of the Oregon Department of Transportation

Cliff Huck
Cliff Huck Reg 4 R/W Supervisor

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cew



PARCEL 1 - Permanent Easement for Wetland Mitigation

A parcel of land lying in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, Township 34 South, Range 8 East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Michael R. Love, recorded August 28, 2000 in Book M-00, Page 31433 of Klamath County Record of Deeds; the said parcel being the following described tract:

Beginning at a point referred to as A1, said point being 425.226 meters North and 279.641 meters West of the Southeast corner of Section 21, Township 34 South, Range 8 East, W.M.;

thence from said point of beginning South 35° 26' 28" East 39.631 meters to point A2;

thence South 40° 01' 37" East 60.922 meters to point A3;

thence South 21° 06' 16" West 7.020 meters to point A4;

thence South 54° 23' 01" East 38.869 meters to point A5;

thence North 39° 43' 56" East 23.009 meters to point A6;

thence South 53° 00' 28" East 21.578 meters to point A7;

thence South 26° 33' 54" West 12.076 meters to point A8;

thence South 01° 32' 04" West 12.874 meters to point A9;

thence South 40° 32' 00" East 10.431 meters to point A10;

thence South 36° 23' 04" West 32.541 meters to point A11;

thence North 85° 36' 04" West 28.465 meters to point A12;

thence North 40° 45' 38" West 58.252 meters to point A13;

thence North 61° 10' 04" West 40.267 meters to point A14;

thence North 60° 39' 36" West 40.334 meters to point A15;

thence North 35° 35' 34" West 27.836 meters; to point A16

thence North 61° 57' 46" East 22.000 meters to point A17;

thence North 18° 51' 39" East 39.098 meters to point A18;

thence North 70° 20' 46" West 17.081 meters to the point of beginning.

Bearings are based upon TRACT 1029 - SPRAGUE RIVER PINES, Klamath County, Oregon.

This parcel of land contains 1.030 hectares, more or less.

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PARCEL 2 - Temporary Easement for Access (7 years)

A parcel of land lying in NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 21, Township 34 South, Range 8 East, W.M., Klamath County, Oregon and being that property described in that Warranty Deed to Michael R. Love, recorded August 28, 2000 in Book M-00, Page 31433 of Klamath County Record of Deeds.

This parcel of land contains 17.122 hectares, more or less.