



2014-004666

Klamath County, Oregon

05/08/2014 10:42:56 AM

Fee: \$72.00

WHEN RECORDED MAIL TO:

USDA Forest Service
Western & Central Oregon Lands Zone
63095 Deschutes Market Rd.
Bend, OR 97701
Attn: Jeff Sims

USDA FOREST SERVICE

J-Spear Ranch Co. - Existing Roads
Forest Service Roads 6215,
6215-110, 6215-130 and 6214-314.

RIGHT-OF-WAY EASEMENT

THIS EASEMENT, dated this 7 day of May, 2014, from **J-Spear Ranch Co.**, an Oregon Corporation of the State of Oregon, whose address is P.O. Box 257, 404 S. 4th St. Klamath Falls, OR 97601, hereinafter called "Grantor," to the **United States of America**, whose address is Fremont-Winema National Forest, 1301 South G Street, Lakeview, OR 97630, hereinafter called "Grantee,".

WITNESSETH:

Grantor, for and in consideration of Eight Hundred Five Dollars (\$805.00) received by Grantor, does hereby grant to Grantee and its assigns, subject to existing easements and valid rights, a perpetual easement for a road along and across a strip of land, hereinafter defined as the "premises," over and across the following described lands in the County of Klamath, State of Oregon.

Forest Service Roads 6215, 6215-130 and 6215-110

Willamette Meridian

T. 34 S., R. 71/2 E.,
Sec. 1, NE1/4NE1/4.

Forest Service Road 6214-314

Willamette Meridian

T. 33 S., R. 7 E.,
Sec. 19, SW1/4SE1/4.

Said premises are shown on the plat attached hereto marked **Exhibit A**.

The word "premises" when used herein means said strip of land, whether or not there is an existing road located thereon. Except where it is defined more specifically, the word "road" shall mean roads now existing or hereafter constructed on the premises or any segment of such roads.

\$72.00

Together with such reasonable rights of temporary use of Grantor's lands immediately adjacent to said right-of-way as may be necessary for the construction, reconstruction, improvement, and maintenance of said road.

Said premises shall be 30 feet in width, 15 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 the Grantor and Grantee as the true centerline of the premises granted. If any subsequent survey of the road shows that any portion of the road, although located substantially as described, crosses lands of the Grantor 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.

The acquiring agency is the United States Department of Agriculture, Forest Service..

This grant is made subject to the following terms, provisions, and conditions applicable to Grantee, its permittees, contractors, and assigns:

- A. Except as hereinafter limited, Grantee shall have the right to use the road on the premises without cost for all purposes deemed necessary or desirable by Grantee in connection with the protection, administration, management, and utilization of Grantee's lands or resources, now or hereafter owned or controlled, subject to such traffic-control regulations and rules as Grantee may reasonably impose upon or require of other users of the road. Grantee shall have the right to construct, reconstruct, and maintain roads within the premises.

Grantee alone may extend rights and privileges for use of the premises to other Government departments and agencies, States, and local subdivisions thereof, and to other users including members of the public.

- B. Grantee shall have the right to cut timber upon the premises to the extent necessary for constructing, reconstructing, and maintaining the road. Timber so cut shall, unless otherwise agreed to, be cut into logs of lengths specified by the timber owner and decked along the road to disposal by the owner of such timber.

This easement is granted subject to the following reservations by the Grantor, for itself, its permittees, contractors, assigns, and successors in interest:

- 1. The right to use the existing road described herein for all purposes deemed necessary or desirable by Grantor in connection with the protection,

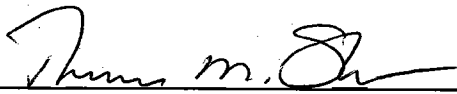
administration, management, and utilization of Grantor's lands or resources now or hereafter owned or controlled, subject, however, to traffic-control regulations as Grantee may reasonably impose and the bearing of road maintenance costs proportionate to use, in each case as authorized and provided by the regulations of the Secretary of Agriculture and as they may be amended and published in the Code of Federal Regulations.

2. The right to cross and recross the premises and road at any place by any reasonable means and for any purpose in such manner as will not interfere unreasonably with use of the road.
3. The right to all timber now or hereafter growing on the premises, subject to Grantee's right to cut such timber as hereinbefore provided.

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 the Grantor, its successors, or assigns, a statement in recordable form evidencing termination.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officer(s) and its corporate seal to be hereunto affixed on the day and year first above written.

J-Spear Ranch Company, an Oregon Corporation

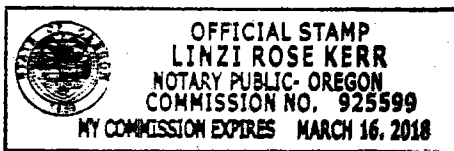
By 
Name: Thomas M. Shaw
Title: Vice President


ACKNOWLEDGMENT

STATE OF OREGON)
)ss.
County of Klamath)

On this 7 day of May, 2014, before me, the undersigned, personally appeared Thomas M. Shaw, personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual who executed the within and foregoing instrument as the Vice-President, of J-Spear Ranch Co. an Oregon Corporation, the Corporation therein named, and acknowledged to me that the corporation executed said instrument as its free and voluntary act and deed for the purposes therein mentioned, and on oath stated that they were authorized to so execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.




Name (Printed): Linzi Kerr
Residing at Merittale
Notary Public for the State of Oregon
My Commission Expires March 16, 2018

Certified correct as to consideration, description, reservations or conditions, and form.



Susan Beall
R/W Specialist, USDA Forest Service

3/3/2014

Date

5460 RIGHT-OF-WAY ACQUISITION

J-SPEAR RANCH CO. TO UNITED STATES DEPARTMENT
OF AGRICULTURE

FREMONT-WINEMA NATIONAL FORESTS
FOR INGRESS AND EGRESS ACROSS
PRIVATE LAND, NFSR 6215, NFSR 6215130, NFSR
6215110 AND NFSR 6214314.

LOCATED WITHIN THE NE1/4NE1/4 OF SECTION 1
TOWNSHIP 34 SOUTH, RANGE 7-1/2 EAST, W.M.
AND LOCATED WITHIN THE SW1/4SE1/4 OF SECTION 19
TOWNSHIP 33 SOUTH, RANGE 7 EAST, W.M.
KLAMATH COUNTY, OREGON

NOTE

ALL ROUTES BEING ACQUIRED EXTEND FROM
AND TERMINATE AT THE TRUE PROPERTY LINES.

TOTAL RIGHT-OF-WAY

RIGHT-OF-WAY IS 30 FEET WIDE,
15 FEET ON BOTH SIDES OF THE
CENTERLINE.
LENGTH: 3334.2± FEET

TOTAL RIGHT-OF-WAY AREA

AREA= 2.3± ACRES



1 INCH = 3000 FEET



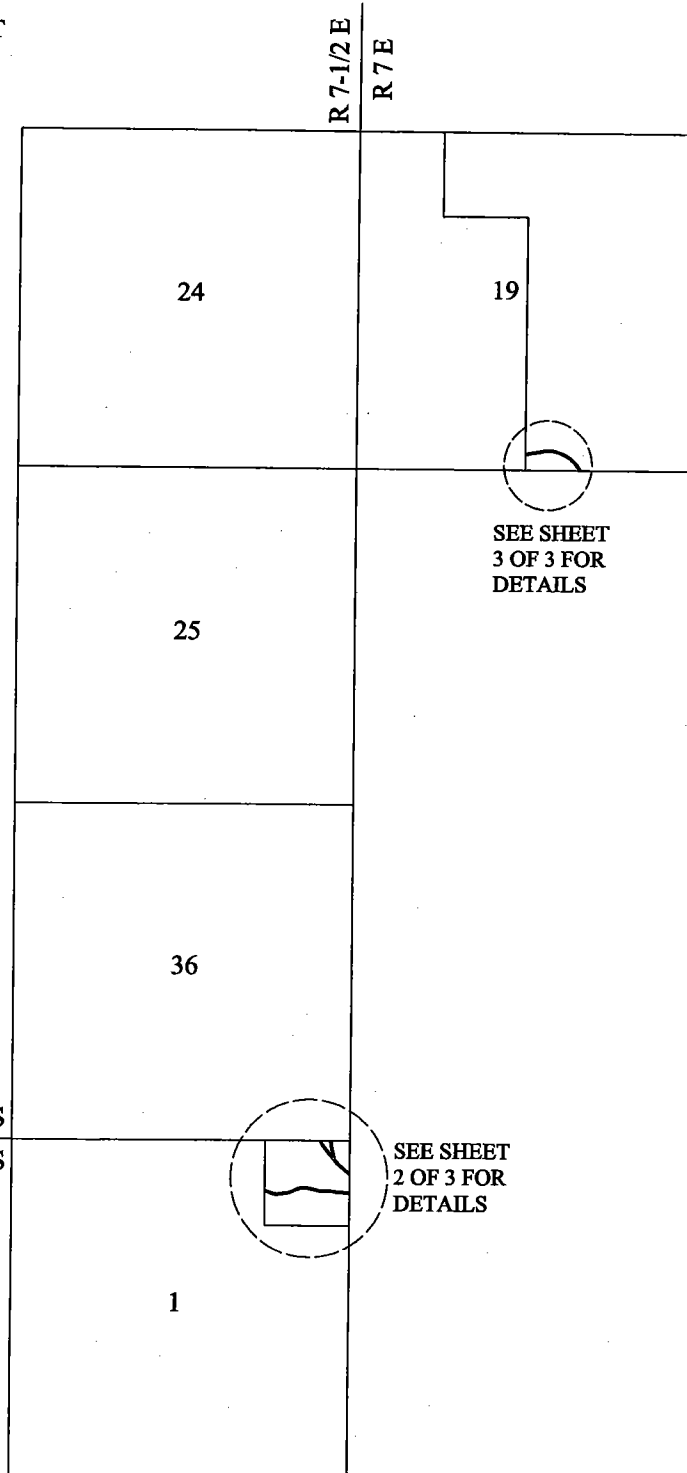
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Rodney F. Callaghan

OREGON
JULY 21, 1992
RODNEY F. CALLAGHAN
2551

RENEWAL: 12/31/2015

T 33 S
T 34 S



DRAWING: FortJSpearpage1.dwg
DATE: 2/12/2013

PROJECT: 6215, 6215130
6215110 AND 6214314

EXHIBIT A
SHEET 1 OF 3

5460 RIGHT-OF-WAY
ACQUISITION
USDA FOREST SERVICE
PACIFIC NORTHWEST REGION
FREMONT-WINEMA
NATIONAL FORESTS

SURVEYED BY: RODNEY F. CALLAGHAN DATE: JUNE, 2012
JANET MOULTON
DRAWN BY: RODNEY F. CALLAGHAN DATE: 2/12/2013
REVIEWED BY: Rodney F. Callaghan DATE: 1/17/2014
FOREST LAND SURVEYOR
APPROVED BY: James L. Scott DATE: 1/17/2014
FOREST ENGINEER

PROPERTY OWNER: J-SPEAR RANCH, CO.

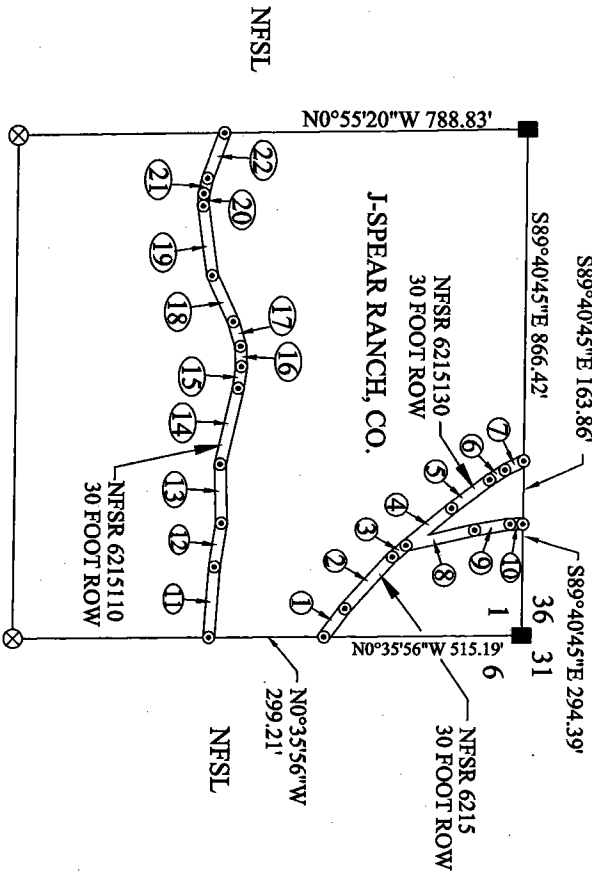
LEGEND

- FOUND LAND SURVEY MONUMENT OF RECORD.
- ⊗ COMPUTED POSITION.
- SURVEYED POINTS ON THE CENTERLINE OF AN EXISTING NATIVE SURFACE ROAD.
- NFSL NATIONAL FOREST SYSTEM LAND
- NFSR NATIONAL FOREST SYSTEM ROAD
- ROW RIGHT OF WAY

BASIS OF BEARINGS

BEARINGS FOR THIS MAP ARE BASED ON THE LINE FROM THE SE CORNER OF SECTION 36 TO THE E1/4 CORNER BETWEEN SECTIONS 36 AND 1. AS PER GPS SURVEYING.

JWTR, LLC



5460 RIGHT-OF-WAY ACQUISITION

J-SPEAR RANCH, CO. TO UNITED STATES DEPARTMENT OF AGRICULTURE, FREMONT-WINEMA NATIONAL FORESTS FOR INGRESS AND EGRESS ACROSS PRIVATE LAND, NFSR 6215, 6215110 AND 6215130 LOCATED WITHIN THE NE1/4NE1/4 OF SECTION 1 TOWNSHIP 34 SOUTH, RANGE 7-1/2 EAST, W.M. KLAMATH COUNTY, OREGON

CENTERLINE DIMENSIONS

BEARING	DISTANCE (FEET)	BEARING	DISTANCE (FEET)
① N53°41'27"W	91.84	⑫ N81°29'38"W	117.58
② N48°11'44"W	184.48	⑬ S88°24'32"W	153.16
③ N41°19'30"W	46.86	⑭ N76°59'28"W	201.98
④ N39°47'08"W	153.28	⑮ N82°17'47"W	57.42
⑤ N36°58'10"W	122.52	⑯ S87°41'47"W	53.69
⑥ N32°10'34"W	47.30	⑰ S73°30'59"W	67.19
⑦ N26°03'53"W	55.07±	⑱ S65°32'32"W	134.85
⑧ N12°59'07"W	182.61	⑲ S82°15'47"W	183.79
⑨ N9°37'44"W	93.62	⑳ N87°46'15"W	31.65
⑩ N1°00'53"W	34.03±	㉑ N76°22'13"W	40.75
㉒ N85°41'06"W	186.16	㉒ N69°36'37"W	125.45±

ROW

RIGHT-OF-WAY IS 30 FEET WIDE, 15 FEET ON BOTH SIDES OF THE CENTERLINE.
LENGTH: 2365.3± FEET

ROW AREA

TOTAL AREA= 1.61± ACRES



1 INCH = 500 FEET

DRAWING: FortISpearpag2.dwg
DATE: 2/12/2013

NFSL

PROJECT: 6215 & 6215130
& 6215110
SECTION 1, T34S, R7-1/2E, W.M.
KLAMATH COUNTY, OREGON

EXHIBIT A
SHEET 2 OF 3

5460 RIGHT-OF-WAY
ACQUISITION
USDA FOREST SERVICE
PACIFIC NORTHWEST REGION
FREMONT-WINEMA
NATIONAL FORESTS

SURVEYED BY: RODNEY F. CALLAGHAN
JANET MOULTON

DRAWN BY: RODNEY F. CALLAGHAN

REVIEWED BY: Rodney F. Callaghan
FOREST LAND SURVEYOR

APPROVED BY: Dennis Sweet
FOREST ENGINEER

DATE: JUNE, 2012

DATE: 2/12/2013

DATE: 1/17/2014

DATE: 1/17/2014

PROPERTY OWNER: J-SPEAR RANCH, CO.

LEGEND

- FOUND LAND SURVEY MONUMENT OF RECORD.
- ⊗ COMPUTED POSITION AS PER DATA FROM
FORT CADASTRAL SURVEY BY CARL E. SUNDET,
PLS 1664 FOR USDA- FOREST SERVICE IN 2009.
- () DATA AS PER FORT CADASTRAL SURVEY BY CARL E. SUNDET,
PLS 1664 FOR USDA- FOREST SERVICE IN 2009.
- SURVEYED POINTS ON THE CENTERLINE OF
AN EXISTING NATIVE SURFACE ROAD.
- NFSL NATIONAL FOREST SYSTEM LAND
NFSR NATIONAL FOREST SYSTEM ROAD
ROW RIGHT OF WAY

5460 RIGHT-OF-WAY ACQUISITION

J-SPEAR RANCH, CO. TO UNITED STATES DEPARTMENT
OF AGRICULTURE
FREMONT-WINEMA NATIONAL FORESTS
FOR INGRESS AND EGRESS ACROSS PRIVATE LAND
NFSR 6214314
LOCATED WITHIN THE SW1/4SE1/4 OF SECTION 19
TOWNSHIP 33 SOUTH, RANGE 7 EAST, W.M.
KLAMATH COUNTY, OREGON

CENTERLINE DIMENSIONS

BEARING	DISTANCE (FEET)	BEARING	DISTANCE (FEET)
① N79°31'17"E	81.20	⑧ S66°09'09"E	95.05
② N80°54'23"E	106.43	⑨ S61°43'45"E	44.95
③ N78°40'04"E	102.26	⑩ S56°11'29"E	51.23
④ N85°10'53"E	39.95	⑪ S48°43'02"E	53.18
⑤ S89°03'49"E	114.99	⑫ S41°04'11"E	72.52
⑥ S81°10'04"E	43.29	⑬ S36°16'16"E	99.46±
⑦ S73°18'57"E	64.37		

BASIS OF BEARINGS

BEARINGS FOR THIS MAP ARE BASED
ON THE LINE FROM THE 1/4 CORNER BETWEEN
SECTIONS 19 AND 30 TO THE C1/4 CORNER
OF SECTION 19 AS PER 2009 FORT
CADASTRAL LINE POSTING DIAGRAMS
ON FILE IN THE FREMONT-WINEMA NATIONAL
FORESTS SUPERVISOR'S OFFICE.

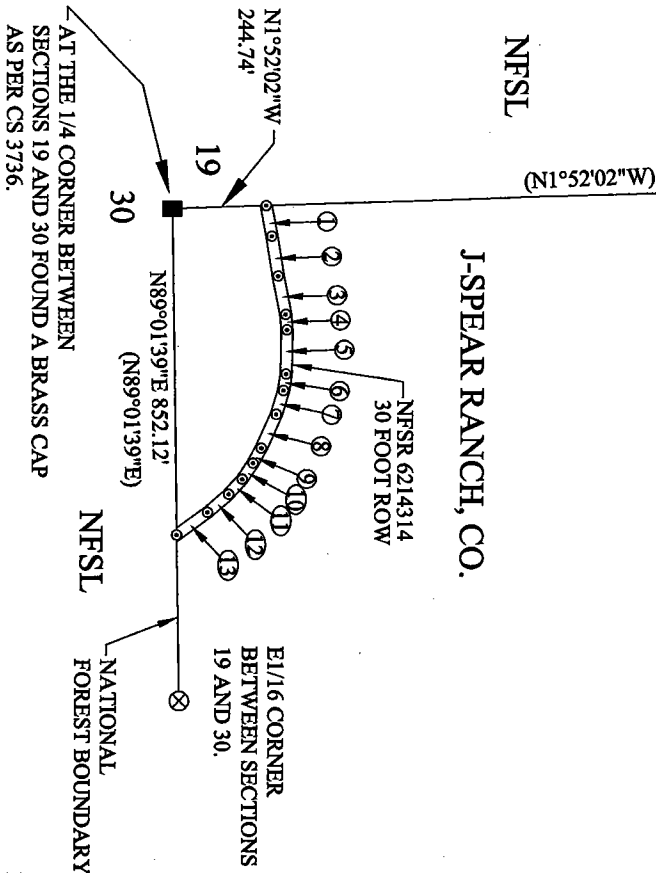
ROW

RIGHT-OF-WAY IS 30 FEET WIDE,
15 FEET ON BOTH SIDES OF THE
CENTERLINE.
LENGTH: 968.9± FEET

ROW AREA

TOTAL AREA= 0.67± ACRES

1 INCH = 500 FEET



DRAWING: Fort/Spearpages3.dwg
DATE: 2/12/2013

PROJECT: 62414314
SECTION 19, T33S, R7, W.M.
KLAMATH COUNTY, OREGON

EXHIBIT A
SHEET 3 OF 3

5460 RIGHT-OF-WAY
ACQUISITION
USDA FOREST SERVICE
PACIFIC NORTHWEST REGION
FREMONT-WINEMA
NATIONAL FOREST

SURVEYED BY: RODNEY F. CALLAGHAN
JANET MOULTON

DRAWN BY: RODNEY F. CALLAGHAN

REVIEWED BY: Rodney F. Callaghan
FOREST LAND SURVEYOR

APPROVED BY: [Signature]
FOREST ENGINEER

DATE: JULY, 2012

DATE: 2/12/2013

DATE: 1/17/2014

DATE: 1/14/2014

PROPERTY OWNER: J-SPEAR RANCH, CO.