

2020-000733

Klamath County, Oregon



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Fee: \$97.00

RETURN TO:
Brandsness, Brandsness & Rudd, P.C.
411 Pine Street
Klamath Falls, OR 97601

RELINQUISHMENT OF EASEMENT RIGHTS

Parties, the State of Oregon, by and through its Parks and Recreation Department (the "Department") and Melvin L. Stewart (the "Licensee").

RECITALS

- A. The Department is the record owner of real property, known as the O C & E Woods Line State Trail in Klamath and Lake Counties, State of Oregon, (the "Property").
- B. The Department received the Property from the Oregon, California and Eastern Railway Company ("OC & E"), a Nevada Corporation and a subsidiary of Weyerhaeuser Company, subject to an interim Trail Use and Rail Banking Agreement with attachments including two ICC orders (collectively, "the OC & E Agreement") dated July 9, 1992, and recorded July 13, 1992 in Klamath County Real Property Records, Volume 92 beginning at page 15208. In the OC & E Agreement, OC&E "banked" with the Department its right of way, in a line of railroad area from Klamath Falls to Bly, Oregon, until such time as the right of way may again be needed to construct, operate and maintain future railway tracts and facilities, and OC & E and Department agreed to make the right of way available in the interim to the public as a recreational trail (the "Trail"), all as

contemplated and authorized by Section 8(d) of the National Trails System Act, 16 U.S.C § 1247(d), 49 USC § 10906 and 49 C.F.R. § 1152.29.

C. The Department and Licensee entered into an agreement pertaining to the use of the OC & E Woods Line State Trail.

D. Licensee is the owner of the dominant interest in the twelve (12) foot wide easement granted by OC & E dated February 4, 1976 for use as a private roadway.

E. As consideration for the agreement pertaining to the use of the OC & E Woods Line State Trail, Licensee agreed to relinquish the easement rights as set forth in that agreement.

AGREEMENT

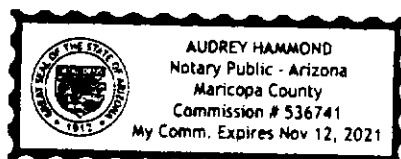
For valuable consideration, Licensee relinquishes that portion of the access easement granted by OC & E dated February 4, 1976 described herein as Exhibit A and depicted as Exhibit B.

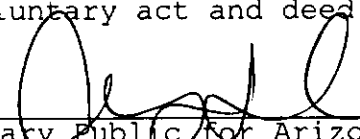
DATED this 11th day of December, 2019.


Melvin L. Stewart

STATE OF ARIZONA)
) ss.
County of Maricopa)

Personally appeared before me this 11th day of December, 2019, the above-named Melvin L. Stewart, and acknowledged the foregoing instrument to be his voluntary act and deed.




Notary Public for Arizona
My Commission expires: 11/12/2021

JOHN HEATON P.L.S.

TRU SURVEYING LINE
2333 SUMMERS LANE
KLAMATH FALLS, OREGON 97603
PHONE: (541) 884-3691

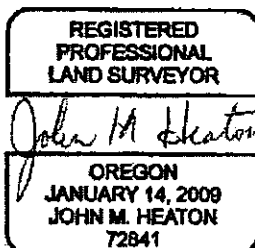


JUNE 29, 2016

LEGAL DESCRIPTION OF ACCESS EASEMENT RELINQUISHMENT

A PORTION OF THE ROAD EASEMENT CONTAINED IN DEED VOLUME M80 AT PAGE 12402 OF THE KLAMATH COUNTY DEED RECORDS, SITUATED IN THE SW1/4 SE1/4 OF SECTION 15, T39S, R10EWM, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF PARCEL A OF "MAJOR LAND PARTITION NO. 80-28", FROM WHICH THE SOUTHWEST CORNER OF SAID PARCEL A BEARS S81°36'00"W 323.00 FEET; THENCE S08°24'00"E 22.00 FEET; THENCE S81°36'00"W, PARALLEL WITH THE SAID SOUTH LINE, 314.12 FEET; THENCE SOUTH 12.13 FEET; THENCE N81°36'00"E, PARALLEL WITH THE SAID SOUTH LINE, 327.89 FEET; THENCE N08°24'00"W 34.00 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL A; THENCE S81°36'00"W 12.00 FEET TO THE POINT OF BEGINNING, WITH BEARINGS BASED ON RECORD OF SURVEY 3426 ON FILE AT THE OFFICE OF THE KLAMATH COUNTY SURVEYOR.



John M. Heaton
JOHN M. HEATON P.L.S. 72841

RENEWAL DATE 6/30/17

Tru-Line Surveying • 2333 Summers Lane, Klamath Falls, OR. 97603
Fax: (541) 882-3790
www.trulinekf.com

MAP TO ACCOMPANY LEGAL DESCRIPTION JUNE, 2016

