



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Oregon State Office
P.O. Box 2965, Portland, Oregon 97208
blm.gov/or



2022-012795

Klamath County, Oregon



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10/28/2022 10:52:56 AM

Fee: \$15.00

AFTER RECORDING RETURN TO:

Bureau of Land Management
Lakeview District
Klamath Falls Field Office
2795 Anderson Ave. #25
Klamath Falls, OR 97603

OROR 56920
RE-L-36

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RELEASE OF ACCESS ROAD EASEMENT RE-L-36 OROR 56920

WHEREAS, on May 26, 1960, Henry C. Gerber and Mariam W. Gerber, husband and wife, granted to the UNITED STATES OF AMERICA (United States), and its assigns, a perpetual easement and right-of-way (RE-L-36), including but not limited to the right and privilege to locate, construct, relocate, maintain, control, and repair a roadway over and across a parcel of land lying in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 30, and the SW $\frac{1}{4}$ of sec. 29, T. 38 S., R. 14E., W.M., and a parcel of land lying in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of sec. 32, T. 38S. R14E., W.M., Klamath County, Oregon recorded on September 23, 1960, in Volume 324, Page 257, in the Deed Records of Klamath County, Oregon; and

WHEREAS, a roadway was constructed by the United States, acting by and through the Bureau of Land Management (BLM). Over time, aggradation of a meadow has occurred and causes frequent inundation and erosion of the roadbed. This has led to the need for seven culverts and a trench along approximately 0.6 miles of the road in effort to properly drain the area. Road inundation still occurs due to overtopping of culverts in high intensity storm events. Reducing stream crossings from three to one, the number of culverts from seven to two and eliminating road inundations from the meadow will reduce long term maintenance costs.

WHEREAS, a portion of the existing roadway is within the Gerber Reservoir watershed, has three stream crossings, contributes sediment to an unnamed stream, Barnes Creek, and Gerber Reservoir. Barnes Creek is fish bearing and is at least seasonally occupied by fish and other aquatic species, including the Endangered Species Act-listed shortnose sucker. The shortnose sucker occupies Gerber Reservoir when not spawning.

INTERIOR REGION 9 • COLUMBIA-PACIFIC NORTHWEST
IDAHO, MONTANA, OREGON*, WASHINGTON
* PARTIAL

Returned at Counter

WHEREAS, in 2013, the BLM entered into a cooperative agreement with the private landowner for a portion of the road to be relocated to eliminate the issues discussed above. The project was funded under Title II of the Secure Rural School and Community Self Determination Act and this new rerouted portion was donated to the BLM by the Bruce Family Limited Partnership. The reroute of the road has been constructed and a new easement title (OROR 68121, RE-L 36-A) has been accepted by BLM in the Final Title Opinion dated December 2, 2021, and recorded December 10, 2015, as 2015-013351.

WHEREAS, the BLM now relinquishes and quitclaims that portion of easement RE-L-36 where the road roadbed has since been removed per the terms of the cooperative agreement with the Bruce Family Limited Partnership and the Environmental Assessment that was completed for the project.

WHEREAS, By Cadastral Review, that portion of easement RE-L-36 to be relinquished and quitclaimed is as follows:

A parcel of land situated in the northeast quarter (NE1/4) of the southeast quarter (SE1/4) of Section 30, and the southwest quarter (SW1/4) of Section 29, Township 38 South, Range 14 East, Willamette Meridian, Klamath County, Oregon, said parcel being that portion of said property included in a strip of land 100 feet in width, 50 feet on each side of the following described centerline, said centerline being more particularly described as follows:

COMMENCING at the corner common to Sections 19, 20, 29, and 30 in said Township and Range;
THENCE, South 3286.72 feet;

THENCE, West 716.96 feet to the Engineer's Station 0+00, and the TRUE POINT OF BEGINNING of the herein described tract of land;

THENCE, South 7°00'00" East for a distance of 100.00 feet;

THENCE, South 11°00'00" East for a distance of 50.00 feet;

THENCE, South 30°00'00" East for a distance of 50.00 feet;

THENCE, South 36°30'00" East for a distance of 50.00 feet;

THENCE, South 46°00'00" East for a distance of 50.00 feet;

THENCE, South 59°00'00" East for a distance of 50.00 feet;

THENCE, South 65°30'00" East for a distance of 50.00 feet;

THENCE, South 76°00'00" East for a distance of 50.00 feet;

THENCE, South 81°30'00" East for a distance of 150.00 feet;

THENCE, South 83°00'00" East for a distance of 50.00 feet;

THENCE, South 79°30'00" East for a distance of 50.00 feet;

THENCE, South 72°00'00" East for a distance of 50.00 feet;

THENCE, South 59°00'00" East for a distance of 325.00 feet;

THENCE, South 72°30'00" East for a distance of 50.00 feet;

THENCE, South 88°30'00" East for a distance of 325.00 feet;

THENCE, South 86°00'00" East for a distance of 50.00 feet;

THENCE, South 75°00'00" East for a distance of 50.00 feet;

THENCE, South 71°31'00" East for a distance of 2050.00 feet to a point 854.00 feet North of the Quarter Corner of Sections 29 and 32, said Township and Range, containing 8.3 acres, more or less.

WHEREAS, the BLM Oregon-Washington State Director has delegated authority pursuant to the Oregon/Washington Supplement to the Bureau of Land Management's Manual Section 1203, to release or cancel rights for access easements in perpetuity (section 2110); and

NOW THEREFORE, for the true and actual consideration of \$1.00, the United States does hereby release and forever quitclaim to the Bruce Family Limited Partnership all of its right, title and interest in Access Road Easements RE-L-36 as described herein, without reservations.

Dated this 13th day of October, 2022.

UNITED STATES OF AMERICA

By: [Signature]
State Director
Bureau of Land Management
Oregon-Washington

AGENCY ACKNOWLEDGEMENT

State of Oregon)
County of Multnomah)ss:

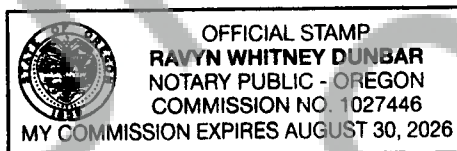
On this 13th day of October, 2022, before me personally appeared Barry Bushue who, being duly sworn, did say that s/he is the Acting State Director for the Bureau of Land Management Oregon-Washington Offices and that s/he executed the foregoing instrument by authority of and in behalf of the United States of America, and s/he acknowledges said instrument to be the act and deed of the United States of America.

My Commission expires:

8/30/26
(SEAL)

Notary Public in and for the

State of Oregon



[Signature]