

FS-2700-9f (09/96)
OMB No. 0596-0082

U. S. DEPARTMENT OF AGRICULTURE Forest Service PUBLIC ROAD EASEMENT National Forest Roads and Trails Act, October 13, 1964 (P.L.88-657) 36 CFR 251.50, et seq	Holder No.	Issue Date	Expir. Date
	1 0 2 2-17	12/15/97	- / - / -
	Type Site	Authority	Auth. Type
	7 5 1	7 2 0	- 1 0 -
	Region/Forest/District	State/County	
	0 9/ 0 4/ 0 6	2 6/ 0 6 9	
	Cong. Dist.	Latitude	Longitude
	0 5	- - - - -	- - - - -

THIS EASEMENT, dated this 15th day of December, 1997, from the UNITED STATES OF AMERICA, acting by and through the Forest Service, Department of Agriculture, hereinafter called Grantor, to the Iosoco County Road Commission, 3939 W. M-55 Tawas City, Michigan 48763 hereinafter called Grantee.

WITNESSETH:

WHEREAS, the Grantee has applied for a grant of an easement under the Act of October 13, 1964 (78 Stat. 1089, 16 U.S.C. 532-538), for a road over certain lands or assignable easements owned by the United States in the County of Iosco, State of Michigan, and administered by the Forest Service, Department of Agriculture.

NOW THEREFORE, Grantor does hereby grant to Grantee an easement for a public road and highway along and across a strip of land, hereinafter defined as the right-of-way over and across the following described lands in the County of Iosco, State of Michigan:

Township Twenty Four North, Range five East, Plainfield Township, Iosco County, Michigan.

Section 30

A 66 foot wide R.O.W. over and across the NE 1/4 of NW 1/4 and the NE 1/4 of Section 30, T24N, R5E, Plainfield Twp., Iosco Co., Michigan lying 33 feet each side of and adjacent to the following described centerline:

Commencing at the NW cor. of said Sec. 30; th N 1° 29' 30" W along the W.line of Sec. 19, T24N, R5E, 7.68ft; th N 89° 58' 23" E 782.41 ft. to a curve to the right; th along said curve, having a radius of 461.00 ft., delta angle of 21° 11' 58", chord bearing and length of S 79° 25' 38" E, 169.60 ft., an arc length of 170.57 ft.; th S 68° 49' 39" E 257.82 ft to the Point of Beginning; thence continuing S 68° 49' 39" E 59.18 ft. to a curve to the left; th along said curve, having a radius of 461.00 ft., a delta angle of 39° 28' 46", chord bearing and length of S 88° 34' 02" E, 311.40 ft., an arc length of 317.65 ft., th N 71° 41' 35" E 498.38 ft.

to a curve to the right; th along said curve, having a radius of 955.00 ft., a delta angle of $16^{\circ} 00' 52''$, chord bearing and length of N $79^{\circ} 42' 01''$ E, 266.06 ft., an arc length of 266.93 ft., th N $87^{\circ} 42' 19''$ E, 1420.12 ft. to a curve to the left; th along said curve, having a radius of 2499.98 ft., a delta angle of $4^{\circ} 31' 48''$, chord bearing and length of N $85^{\circ} 26' 20''$ E, 197.61 ft., an arc length of 197.66 ft.; th N $83^{\circ} 10' 31''$ E 246.98 ft. to a curve to the right; th along said curve, having a radius of 2515.40 ft., a delta angle of $3^{\circ} 26' 02''$, chord bearing and length of N $84^{\circ} 53' 32''$ E, 150.73 ft., an arc length of 150.75 ft.; th N $86^{\circ} 36' 33''$ E 725.11 ft. to the NE cor. of said Sec. 30 and the Point of Ending. Contains 5.88 ac, more or less.

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

The right-of-way is shown and specifically described on the plat attached hereto and made a part hereof.

This grant is made subject to the following terms, provisions, and conditions:

1. Outstanding valid claims, if any, existing on the date of this grant.
2. The easement herein granted is limited to use of the described right-of-way for the purpose of construction, operation, and maintenance of a highway and does not include the grant of any rights for nonhighway purposes or facilities; Provided, That the Forest Service shall not exercise its right to use or authorize the use of any portion of the right-of-way for nonhighway purposes when such use would interfere with the free flow of traffic or impair the full use and safety of the highway; and Provided further, That nothing herein shall preclude the Forest Service from locating National Forest and other Department of Agriculture information signs on the portions of the right-of-way outside of construction limits.
3. The design and construction of the highway project situated on this right-of-way shall conform with plans, specifications, and written stipulations approved by the Forest Supervisor.
4. Any reconstruction of the highway situated on this right-of-way shall conform with plans, specifications, and written stipulations approved by the Forest Supervisor or authorized representative prior to beginning such reconstruction.
5. Consistent with highway safety standards, the Grantee shall:
 - (a) Protect and preserve soil and vegetative cover and scenic and esthetic values on the right-of-way outside of construction limits.

- (b) Provide for the prevention and control of soil erosion within the right-of-way and adjacent lands that might be affected by the construction operation, or maintenance of the highway, and shall vegetate and keep vegetated with suitable species all earth cut or fill slopes feasible for revegetation or other areas on which ground cover is destroyed. The Grantee shall perform these activities where it is deemed necessary during a joint review between the authorized Forest Officer and Grantee prior to completion of the highway. The Grantee also shall maintain all terracing, water bars, leadoff ditches, or other preventive works that may be necessary to accomplish this objective. This provision also shall apply to waste disposal areas and slopes that are reshaped following slides that occur during or after construction.
6. The Grantee shall:
- Establish no borrow, sand, or gravel pits; stone quarry; permanent storage areas; sites for highway-operation and maintenance facilities; camps; supply depots; or disposal areas within the right-of-way, unless shown on approved construction plans, without first obtaining approval of the authorized Forest Officer.
7. The Grantee shall maintain the right-of-way clearing by means of chemicals only after the Forest Supervisor has given specific written approval. Application for such approval must be in writing and must specify the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.
8. The Grantee does by the acceptance of this document covenant and agree for itself, its assigns, and its successors in interest to the property here granted or any part thereof, that the covenant set forth below shall attach to and run with the land:
- (a) That the Grantee shall operate the described property and its appurtenant areas and its buildings and facilities whether or not on the land therein granted as a public road, in full compliance with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to the regulations issued thereunder by the Department of Agriculture and in effect on the date of this document to the end that no person in the United States shall, on the grounds of race, sex, color, religion, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any programs or activities provided thereon; and
- (b) That the United States shall have the right to judicial enforcement of these covenants not only as to the Grantee, its successors and assigns, but also as to lessees and licensees doing business or extending services under contractual or other arrangements on the land therein conveyed.

The Chief, Forest Service, may terminate this easement, or any segment thereof, (1) by consent of the Grantee, (2) by condemnation, or (3) after a five (5) year period of nonuse, by a determination to cancel after notification and opportunity for hearing as prescribed by law.

IN WITNESS WHEREOF, the Grantor, by its duly authorized representative, Forest Service, has executed this easement pursuant to the delegation of authority to the Chief, Forest Service, 7 CFR 2.60, and the delegation of authority by the Chief, Forest Service, dated August 22, 1984 (49 FR 34283), as continued by the delegation of authority, effective August 16, 1988, and published October 6, 1988 in 53 Fed. Reg. 39326.

WITNESS

UNITED STATES OF AMERICA

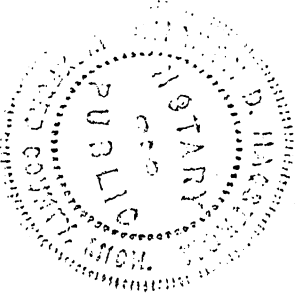
Carol A. DeFour
CAROL A. DeFOUR

By: Corbin L. Newman Jr
CORBIN L. NEWMAN, JR.
Forest Supervisor
Huron-Manistee National Forests

Sharon D. Hagstrom
SHARON D. HAGSTROM

STATE OF MICHIGAN)
)SS
COUNTY OF WEXFORD)

The foregoing instrument was acknowledged before me the 15th day of December 1997, by Corbin L. Newman, Jr., Forest Supervisor.



Sharon D. Hagstrom
SHARON D. HAGSTROM
Notary Public
Wexford County, Michigan

My commission expires: June 3, 1998

This document was prepared by Carol A. DeFour, Applications Examiner, Huron-Manistee National Forests, Supervisors Office, Cadillac, Michigan 49601

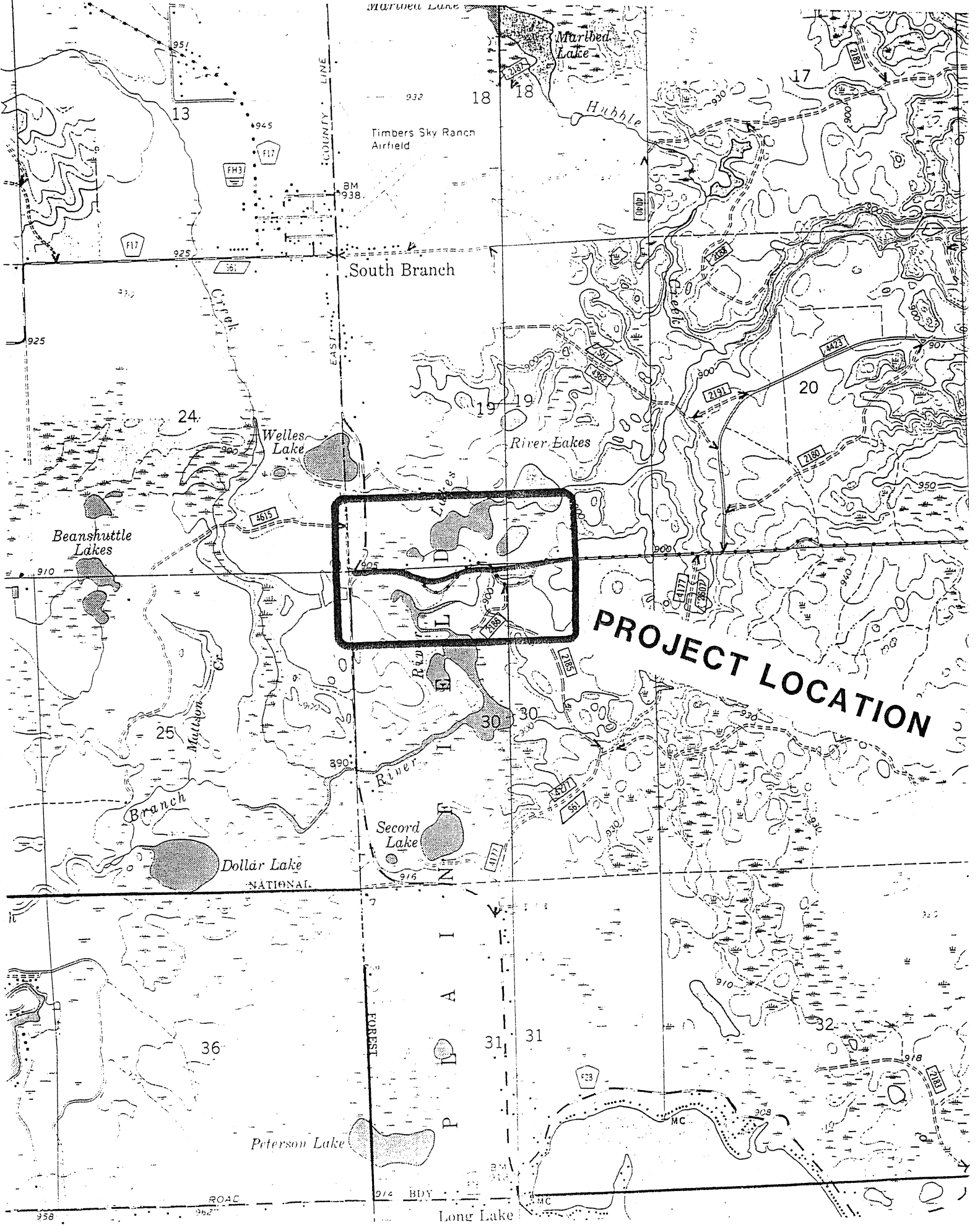
According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Public reporting burden for this collection of information, if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance plan; average 1 hour per response for inspection reports; and an average of 1 hour for each request that may include such things as reports, logs, facility and user information, sublease information, and other similar miscellaneous information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Washington D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB # 0596-0082), Washington, D.C. 20503.

PROPOSED ROAD EASEMENT



PROJECT LOCATION