

16845

ORIGINAL 7030
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File 40748

EASEMENT FOR RANDOM FILLS

KNOW ALL MEN BY THESE PRESENTS, That Lillian G. Mann, a widow, Grantor, for the consideration of the sum of Twenty-five and No/100 Dollars (\$25.00) to me paid, have granted and do hereby grant to the State of Oregon, by and through its State Highway Commission, a temporary easement for random fills over and across the following described parcel of land, to wit:

A parcel of land lying in the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being that portion of said S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying within the following described tract:

Beginning at a point opposite and 50 feet Northwesterly of Station "FR" 231+50 on the center line of a frontage road; thence Southwesterly in a straight line to a point opposite and 160 feet Northwesterly of Engineer's Station "FR" 232+65 on said center line; thence Southerly in a straight line to a point opposite and 50 feet Northwesterly of Engineer's Station "FR" 234+00 on said center line; thence North-easterly parallel to and 50 feet Northwesterly of said center line to the place of beginning.

The center line of the frontage road herein referred to is described as follows:

Beginning at Engineer's center line Station "FR" 221+00, said station being 1015.79 feet South and 39.74 feet West of the Northeast corner of said Section 7; thence South 28° 36' 30" West, 262.47 feet; thence on a 572.96 foot radius curve right (the long chord of which bears South 32° 39' 15" West) 80.92 feet; thence South 36° 42' West, 1228.48 feet; thence on a 409.26 foot radius curve right (the long chord of which bears South 50° 41' 15" West) 199.82 feet; thence South 64° 40' 30" West, 200.71 feet; thence on a 65 foot radius curve left (the long chord of which bears South 26° 33' 15" West) 86.49 feet to Engineer's center line Station "FR" 241+58.89.

The parcel of land to which this description applies contains 0.04 acre, more or less.

The term and duration of this easement shall be for a period of two years from the date hereof, or until the completion of the Klamath Falls-Green Springs Junction Section of the The Dalles-California Highway, whichever is sooner.

IT IS EXPRESSLY UNDERSTOOD that this easement does not convey any right, title or interest to the surface of the soil, nor any other rights than those expressly stated in this easement, but it is understood and agreed that the State of Oregon shall never be required to remove the dirt or other materials placed by it upon said property, nor shall the State of Oregon be subject to any damages to the Grantor, her heirs and assigns, by reason of said random fills thereon, or by reason of change of grade of the street or highway abutting on said lot or lots.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said State of Oregon, by and through its State Highway Commission, its successors and assigns, for said period of time hereinabove expressed.

And I, Lillian G. Mann, do hereby covenant to and with the State of Oregon, by and through its State Highway Commission, that I am the owner in fee simple of said premises; that they are free from all encumbrances, and that I will warrant and defend the easement herein granted from all lawful claims whatsoever.

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IN WITNESS WHEREOF, I have hereunto set my hand and seal this 1st day of

September, 1967.

Lillian G. Mann (SEAL)

STATE OF ~~OREGON~~ Washington

County of Grays Harbor

Sept 1, 1967

Personally appeared the above named Lillian G. Mann, and acknowledged the foregoing instrument to be her voluntary act. Before me:

Patricia R. Schneider
Notary Public for Oregon

My Commission expires 12/20/69

ba/te

STATE OF OREGON; COUNTY OF CLATSOP; ss.

Filed for record at request of Oregon State Department

this 11th day of September 1967 at 2:00 o'clock P.M., and

duly recorded in Vol. M.67, of Deeds on Page 7030

DOROTHY ROGERS, County Clerk

Fee \$3.00

By Carol Wheeler