

6-20-80

92423

EASEMENT

Highway Division  
File 51221

Vol. 1780 Page 21938

KNOW ALL MEN BY THESE PRESENTS, That E. M. WEYL; M. ZUCKERMAN; R. C. ZUCKERMAN;  
MARION G. ZUCKERMAN, DAVID E. ZUCKERMAN, and DAVID LIVINGSTON, heirs and devisees of  
H. G. Zuckerman, deceased, Grantors, for the consideration of the sum of \_\_\_\_\_

ONE HUNDRED AND NO/100=====DOLLARS

(\$ 100.00 ) received, do hereby grant and convey unto the STATE OF  
OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, Grantee, a  
permanent easement to construct, maintain, repair and have free access to all slopes  
of cuts or fills, occasioned by or resulting from the construction, operation or  
maintenance of a public street or highway and appurtenances, upon the following  
described property, to wit:

A parcel of land lying in Section 27 ~~and in Section 34~~, Township 40 South,  
Range 8 East, W.M., Klamath County, Oregon; the said parcel being that portion  
of said subdivision lying Northeasterly of the Northwesterly extension of the  
Northeasterly line of that property described in that deed to Klamath County,  
recorded in Book 101, Page 470 of Klamath County Record of Deeds; Southerly of  
the right of way of the Southern Pacific Transportation Company and between  
lines parallel with and 40 feet Northwesterly and 55 feet Northwesterly of the  
center line of the The Dalles-California Highway (formerly the Klamath Falls-  
Weed Highway), which center line is referred to in said deed to Klamath County.

The parcel of land to which this description applies contains 0.10 acre,  
more or less.

Nothing contained in the easement over and across the herein described property  
shall be construed to convey fee title to the land used for slopes purposes, nor  
prevent Grantors from the full use and dominion thereover, provided however, that  
such use shall not be permitted to damage or destroy lateral support to said public  
street or highway. It is understood that Grantee shall never be required to remove  
the dirt or other materials used for the construction of said slopes nor shall Grantee  
be subject to any damages to Grantors, their heirs and assigns, by reason thereof or  
by reason of change of grade of the street or highway abutting on said property.

And Grantors do hereby covenant to and with Grantee, its successors and assigns,  
that they are the owners in fee simple of the said property which is free from all  
encumbrances and will warrant and defend the easement rights herein granted from all  
lawful claims whatsoever.

Dated this 23 day of Sept., 1980.

Marion G. Zuckerman  
Marion G. Zuckerman  
David E. Zuckerman  
David E. Zuckerman  
Deceased  
David Livingston

Deceased  
E. M. Weyl  
Deceased  
M. Zuckerman  
Deceased  
R. C. Zuckerman

ORIGINAL

80 NOV 12 PM 2 06

21939

STATE OF OREGON, County of \_\_\_\_\_

\_\_\_\_\_, 1980. Personally appeared the above named E. M. Weyl, who  
acknowledged the foregoing instrument to be \_\_\_\_\_ voluntary act. Before me:

\_\_\_\_\_  
Notary Public for Oregon

My Commission expires \_\_\_\_\_

STATE OF OREGON, County of \_\_\_\_\_

\_\_\_\_\_, 1980. Personally appeared the above named M. Zuckerman, who  
acknowledged the foregoing instrument to be \_\_\_\_\_ voluntary act. Before me:

\_\_\_\_\_  
Notary Public for Oregon

My Commission expires \_\_\_\_\_

STATE OF CALIFORNIA,

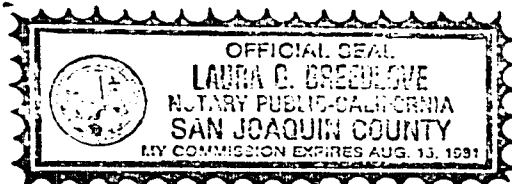
County of San Joaquin } ss.

On this 23rd day of September in the year one thousand nine  
hundred and eighty before me, Laura G. Breedlove,  
a Notary Public, State of California, duly commissioned and sworn, personally appeared

DAVID E. ZUCKERMAN

known to me to be the person whose name is subscribed to the within instrument  
and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal  
in the \_\_\_\_\_ County of San Joaquin the day and year in this  
certificate first above written.



Acknowledgment—General.

My Commission Expires 8-15-81

Laura G. Breedlove  
Notary Public, State of California.

California  
STATE OF ~~OREGON~~, County of Alameda

September 24, 1980. Personally appeared the above named Marion G. Zuckerman,  
who acknowledged the foregoing instrument to be her voluntary act. Before me:

Karen Ann Olson  
Notary Public for ~~Oregon~~ California

My Commission expires 6-18-82



State of OREGON: COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the

12th day of November A.D., 19 80 at 2:08 o'clock P M., and duly recorded in

Vol. M80 of Deeds on page 21940.

Fee \$ \$7.00

W. D. MILNE, County Clerk  
By Karen A. Olson deputy