

RECORDING REQUESTED BY

[RAF - VI - 3/19/82 - 0700/323]

12034

RETURN TO
OREGON STATE HIGHWAY DIVISION
RIGHT OF WAY SECTION
STATE HIGHWAY BLDG. ROOM 119
SALEM, OREGON 97310

Vol. 1887 Page 6462

AND WHEN RECORDED MAIL TO

Name

Street
Address

City
State
Zip

DEED

AUDIT NO. 61712

LEASE

AUDIT NO. 196297

SPACE ABOVE THIS LINE FOR RECORDER'S USE

EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That SOUTHERN PACIFIC TRANSPORTATION COMPANY, a Delaware corporation, Railroad, in consideration of Thirteen Hundred Dollars (\$1300.00) paid to it, does hereby grant unto STATE OF OREGON, by and through its Department of Transportation, Highway Division, Grantee, an easement for highway purposes in, upon, along and across certain real property situated in the County of Klamath, State of Oregon, and more particularly described in Exhibit "A," attached and hereby made a part hereof.

The rights herein granted are expressly limited vertically and shall not extend beyond a plane parallel with and twenty (20) feet above the roadway surface of the highway as originally constructed, except that lighting fixtures and similar highway appurtenances may extend above said plane, provided that such facilities will be removed or rearranged within thirty (30) days after notification from Railroad that such facilities interfere with Railroad's intended use of the space above said plane.

This grant is subject and subordinate to the prior right of Railroad, its successors and assigns, to use all the property described in the performance of its duty as a common carrier, and there is reserved unto Railroad, its successors and assigns, the right to construct, reconstruct, maintain, use and remove existing and future transportation,

9-22-82 MAY 20 AM 11 25

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communication, power and pipeline facilities in, upon, over, under, across or along said property. In the event Railroad trackage facilities are removed from said property, Railroad shall not be obligated to make any change in the grade of said highway, nor shall such removal affect Railroad's title to the underlying property.

This grant is subject to all licenses, leases, easements, restrictions, conditions, covenants, encumbrances, liens and claims of title which may affect said property, and the word "grant" shall not be construed as a covenant against the existence of any thereof.

IN WITNESS WHEREOF, Railroad has caused these presents to be executed this 1st day of April, 1982.

SOUTHERN PACIFIC TRANSPORTATION
COMPANY,

By [Signature]
(Title)

Attest: [Signature]

Assistant Secretary

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

ON THIS 1st DAY OF April IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY-TWO, BEFORE ME, CHRISTOPHER M. LUNDIN (ONE MARKET PLAZA), A NOTARY PUBLIC IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, PERSONALLY APPEARED A. C. DAVIS KNOWN TO ME TO BE THE ASSISTANT MANAGER, CONTRACT DEPARTMENT, OF THE CORPORATION DESCRIBED IN AND THAT EXECUTED THE WITHIN INSTRUMENT, AND ALSO KNOWN TO ME TO BE THE PERSON WHO EXECUTED IT ON BEHALF OF THE CORPORATION THEREIN NAMED AND HE ACKNOWLEDGED TO ME THAT SUCH CORPORATION EXECUTED THE SAME.

CHRISTOPHER M. LUNDIN
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL PLACE OF BUSINESS IN
CITY AND COUNTY OF
SAN FRANCISCO

My Commission Expires April 8, 1983

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN THE CITY AND COUNTY OF SAN FRANCISCO, THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

[Signature]
NOTARY PUBLIC IN AND FOR THE CITY AND COUNTY
OF SAN FRANCISCO, STATE OF CALIFORNIA

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EXHIBIT "A"

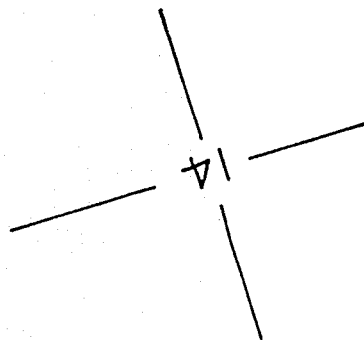
That portion of land of Southern Pacific Transportation Company situated in Sections 1, 11, 12, 14, 23, 26 and 27, Township 40 South, Range 8 East, Willamette Base and Meridian, County of Klamath, State of Oregon, lying easterly of and contiguous to the following described line:

Beginning at the point of intersection of the southwesterly line of Lot 6 in said Section 1, with a line parallel with and distant 135.0 feet southeasterly, measured at right angles, from the center line of said Company's main track (Worden-Klamath Falls), said point being distant 135.0 feet southeasterly, measured at right angles, from said center line at Engineer's Station 2972+58.49; thence southwesterly along said parallel line, to a point distant 135.00 feet southeasterly, measured at right angles, from said center line of main track at Engineer's Station 2814+80; thence northwesterly at right angles from last described course 15.0 feet to a point in a line parallel with and distant 120.0 feet southeasterly, measured at right angles, from said center line of main track; thence southwesterly, along last said parallel line 90 feet to a point distant 120.0 feet southeasterly, measured at right angles, from said center line of main track; thence southeasterly at right angles from last described course 15.0 feet to a point in said parallel line that is distant

135.0 feet southeasterly, measured at right angles, from said center line of main track; thence southwesterly along last said parallel line and a line concentric with and distant 135.0 feet southeasterly, measured radially, from said center line of main track, to a point distant 135.0 feet southeasterly, measured radially, from said center line at Engineer's Station 2747+00; thence southeasterly along the southeasterly prolongation of a radial line to said concentric line 5.0 feet; thence southwesterly along a line concentric and parallel with and distant 140.0 feet southeasterly, measured radially and at right angles, from said center line of main track, to a point distant 140.0 feet southeasterly, measured at right angles, from said center line of main track at Engineer's Station 2707+55.

Contains an area of 8.71 acres, more or less.

2540+00
MARK SH. 2



TO SAN FRANCISCO

2840

2850

2860

2870

2880

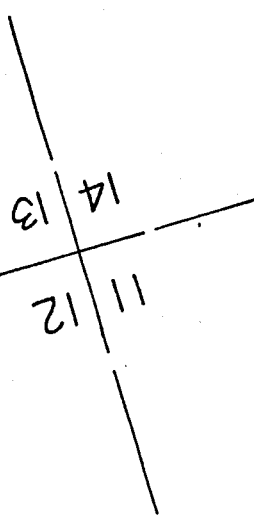
2890

MATCH

150' 130'

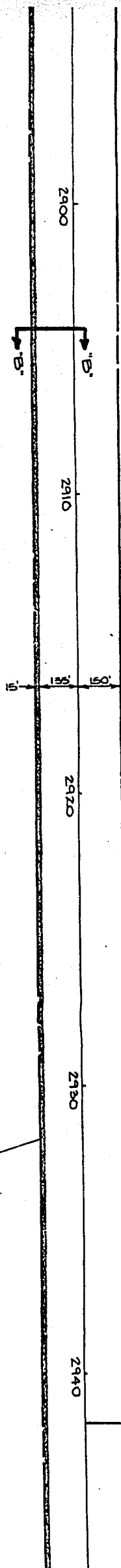
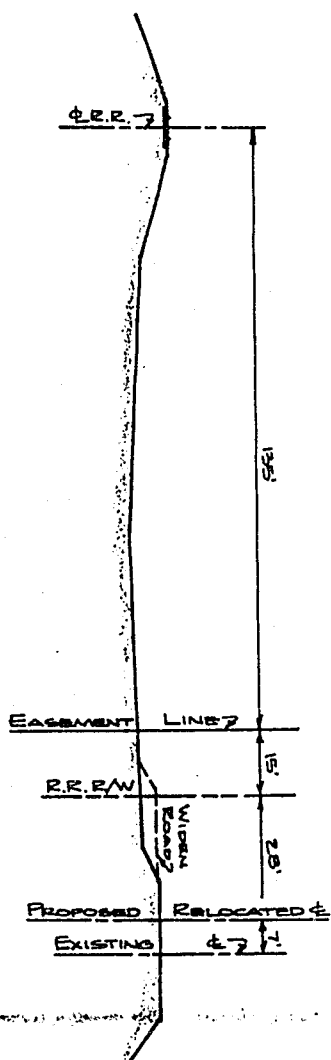
LEGEND

SHOWS EASEMENT AREA (8.68± ACRES)
SHOWS SPT. CO. PROPERTY LINE



420

SECTION "B"-B'-TYPICAL SECTION
SCALE 1"=40'

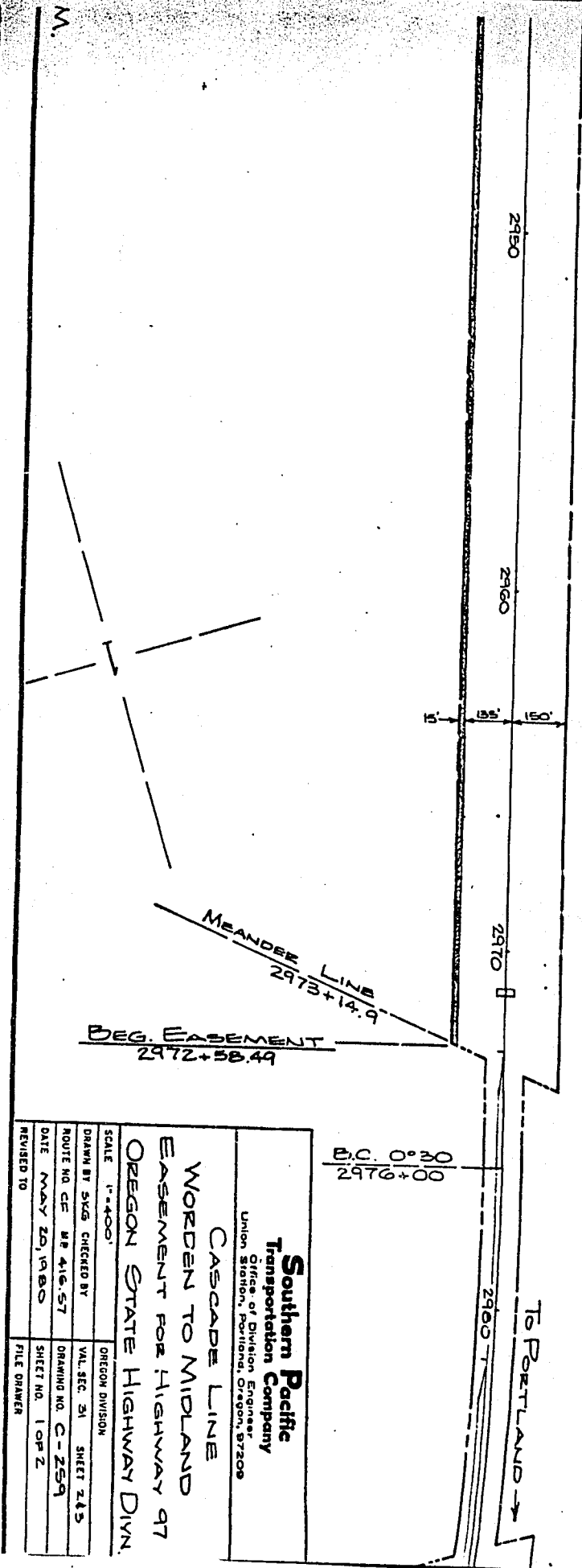


11 12
2 1

421

T.40S,R.8E,W.4N.

CF-416.57-R
N.C. RM



STATE OF OREGON; COUNTY OF KLAMATH; ss
I hereby certify that the within instrument was received and filed for
record on the 24 day of May A.D., 1982 at 11:26 o'clock A M
and duly recorded in Vol M 82, of Deeds on page 6462

FEE \$ 28.00

EVELYN BIEHN COUNTY CLERK
by [Signature] Deputy