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

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52169

BRIDGE EASEMENT

The STATE OF OREGON, by and through its Division of State Lands (GRANTOR), for and in consideration of three thousand four hundred fifteen dollars (\$3,415.00), the receipt of which is hereby acknowledged, hereby grants to the Oregon State Highway Division (GRANTEE) an easement and right to construct, maintain, operate and replace a bridge in, over, and across the State-owned submerged and submersible land of the Klamath River, in Klamath County, Oregon, described as follows:

See attached Exhibit A

TO HAVE AND TO HOLD the same unto GRANTEE in perpetuity, subject to the following conditions:

1. All construction shall conform to standards and specifications set by the U. S. Army Corps of Engineers for this project.
2. The bed and banks shall be restored to a natural condition as soon as construction or maintenance is completed.
3. Any blasting which may be necessary in the construction of the bridge shall be performed according to the laws of GRANTOR.
4. GRANTOR reserves the right, upon written consent of GRANTEE, to lease or otherwise utilize the State-owned lands within the granted area hereinabove described in a manner and for uses that will not be incompatible with the primary use for which this easement is granted. No such leasing or utilization shall take place without said written consent of GRANTEE.
5. GRANTOR shall have the right to stop operation of the bridge for noncompliance with the conditions of this easement or any lawful requirement by a regulatory agency of this State.
6. If the facility for which this easement is granted is not used for a period of five (5) consecutive years, this easement may be terminated by written notice from GRANTOR to GRANTEE at its last known address. Upon termination, GRANTEE will have 90 days to remove the bridge and appurtenances from the State-owned lands.
7. Nothing in this document may be construed as permission, except during construction or maintenance periods, to GRANTEE to interfere with navigation or reduce the public's rights to the free and unimpeded use of the navigable waters of the State of Oregon within the boundaries of this easement; provided, however, that to

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the extent necessary to facilitate construction and maintenance of these facilities, GRANTEE may so interfere, but shall keep such interference to an absolute minimum.

8. GRANTEE shall pay all assessments that may be legally charged on public lands which are levied against the property subject to this easement, whether or not such assessments have been levied against the leasehold or STATE by the assessing agency.

This easement does not convey an estate in fee simple of the lands used for a right-of-way. This grant is for an easement only, and title remains in the State of Oregon.

WITNESS the seal of the Division of State Lands affixed this 10th day of May, 1985.



STATE OF OREGON, acting by and through its Division of State Lands

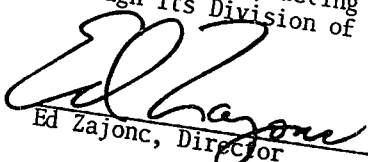

Ed Zajonc, Director

EXHIBIT A

8676

A parcel of land lying in the E $\frac{1}{2}$ of Section 8, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being all state-owned submerged and submersible land lying between the lines of mean high water on the Westerly and Easterly banks of the Klamath River included in a strip of land variable in width, lying on each side of the center line of the South Side Bypass (County Road) which center line is described as follows:

Beginning at Engineer's center line Station "L5" 123+63.19, said station being 2709.15 feet North and 2343.44 feet West of the Southeast corner of Section 8, Township 39 South, Range 9 East, W.M.; thence South 66° East 905.01 feet; thence on a spiral curve left (the long chord of which bears South 69° 20' East 499.32 feet) 500 feet; thence on a 1432.39 foot radius curve left (the long chord of which bears South 80° 54' 15" East 244.91 feet) 245.21 feet; thence on a spiral curve left (the long chord of which bears North 87° 31' 30" East 499.32 feet) 500 feet; thence North 84° 11' 30" East 176.24 feet to Engineer's center line Station "L5" 146+89.65.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Northerly Side of Center Line	Width on Southerly Side of Center Line
"L5"124+00		"L5"132+68.20	110	90
"L5"132+68.20		"L5"137+68.20	110 in a straight line to 60	90

Bearings are based upon the Oregon Co-ordinate System, South Zone.

The parcel of land to which this description applies contains 3.21 acres, more or less.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ..
this 11th day of June A. D. 19 85 at 10:03 o'clock A M., and
duly recorded in Vol. MS5 of Deeds on Page 8674.

EVELYN BIEHN, County Clerk
By Pam Smith

Fee: \$13.00