78503

BRIDGE EASEMENT

The STATE OF OREGON, acting by and through the Division of State Lands, GRANTOR, for and in consideration of Two Thousand One Hundred Twenty-Two and no dollars ($ 2,122.00), does hereby grant to Oregon Department of Transportation, Highway Division, GRANTEE, an easement, and right to construct, maintain, operate, and replace a bridge in, over, and across state-owned submerged and submersible land; being more particularly described as follows:

A parcel of land lying in the NE1/4 of Section 21, Township 35 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being all state-owned submerged and submersible land lying between lines of mean high water on the Northerly and Southerly banks of the Williamson River and included in a strip of land variable in width, lying on the Westerly side of the center line of the relocated The Dallas-California Highway which center line is described as follows:

Beginning at Engineer's center line Station 1150+00, said station being 2749.19 feet South and 213.39 feet West of the Northeast corner of Section 33, Township 35 South, Range 7 East, W.M.; thence, North 9°32' West 12,465.19 feet to Engineer's center line Station 1274+65.19.

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

Station	to	Station	Width on Westerly Side of Center Line
1262+00		1265+00	90 in a straight line to 120
1265+00		1270+00	120 in a straight line to 85

Bearings are based on Oregon State Highway Division Survey. See Drawing No. 5B-18-23, dated July, 1938.

The parcel hereinabove described contains 0.90 acre, more or less.

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

1. Construction in navigable waters shall conform to standards and specifications set by the U. S. Army Corps of Engineers or the U. S. Coast Guard for the project.

2. The bed and banks of the waterway shall be restored to a condition acceptable to the Division as soon as construction or maintenance is completed.
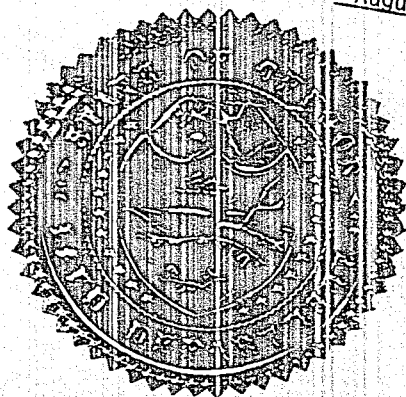
3. Any blasting during construction shall be performed according to the laws of the state. Underwater blasting permits are required under ORS 509.140.

4. The director may lease or otherwise use the lands within the easement area if the secondary use does not interfere with the easement.

5. Public access to the navigable waters must be maintained and/or restored upon completion of construction or maintenance.

6. If a facility is not used for a period of five (5) consecutive years, the easement will automatically terminate and the land shall be restored by the GRANTEE to its original condition.

7. The GRANTEE shall pay to the Division the current market value, as determined by the director, of any actual damages to state-owned submerged and submersible land, for example, the loss of minable gravel. The provision shall not apply to materials taken under ORS 273.751(3).

8. Any removal/fill activity in the waters of the state shall require a permit from the director in accordance with ORS 541.605 et seq.

9. The director, after thirty (30) days written notice may revoke any purchased easement for non-compliance with the terms or conditions of the easement.

Witness the seal of the Division of State Lands affixed the _____5th_____ day of __August__, 1987.

STATE OF OREGON acting by and through the Division of State Lands

Ed Zajonc, Director

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Williamson Rv Easement
Page 2 of 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of ___State of Oregon, Oregon Highway Division___ the ___25th___ day
of ___August___ A.D., 19 _87_ at _3:11_ o'clock _P_ M., and duly recorded in Vol. ___M87___
of ___Deeds___ on Page _15335_.
Evelyn Biehn, County Clerk

FEE $9.00   By _____