

94057

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

EASEMENT

K-40487

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Highway Division
File 57349
Map No. 9B-30-6

ORIGINAL

COLVIN OIL COMPANY, an Oregon corporation, Grantor, hereby grants unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, Grantee, its successors and assigns, a permanent easement to construct, relocate, and maintain telephone and electric powerline facilities, including poles and appurtenances, and install, operate, and maintain a traffic control facility, and its appurtenances, including traffic signal vehicle loop detectors, therefor, necessitated by the widening and improvement of the Austin Avenue-Eastside Bypass (Klamath Falls) Section of the relocated Klamath Falls-Lakeview Highway under, over, across, and upon the following described property to wit:

A parcel of land lying in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Colvin Oil Company, recorded in Book M-74, Page 5118 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of the Klamath Falls-Lakeview Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 40+00, said station being 406.09 feet North and 649.49 feet West of the Northeast corner of the SW $\frac{1}{4}$ of Section 3, Township 39 South, Range 9 East, W.M; thence South 55° 50' 30" East 165.50 feet; thence on a spiral curve left (the long chord of which bears South 59° 31' 20" East 469.22 feet) 470 feet; thence on a 1219.06 foot radius curve left (the long chord of which bears South 72° 54' 30" East 255.77 feet) 256.24 feet; thence on a spiral curve left (the long chord of which bears South 86° 17' 40" East 469.22 feet) 470 feet to Engineer's center line Station 53+61.74 Back equals 53+70.60 Ahead; thence South 89° 58' 30" East 2129.40 feet to Engineer's center line Station 75+00.

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

Station	to	Station	Width on Southerly Side of Center Line
48+40		49+10	
49+10		51+00	115 in a straight line to 40 40

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PM 2 42
61 NOV 88

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Bearings are based on Oregon State Highway Division Survey. See Drawing No. 6B-1-5, dated September, 1941.

The parcel of land to which this description applies contains 350 square feet, more or less.

IT IS UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however, that such use does not interfere with the rights herein granted.

IT IS ALSO UNDERSTOOD that the easement herein granted shall be subject to the same conditions, terms and restrictions contained in the easements, licenses and/or permits granted to the owners of the facilities being relocated.

IT IS FURTHER UNDERSTOOD that Grantor shall not place or erect any buildings or structures upon the easement area without the written consent of Grantee or its assigns.

IT IS FURTHER UNDERSTOOD that nothing herein contained is intended to create any obligation on the part of Grantee for the maintenance of said telephone and electric powerline facilities.

Grantor hereby covenants to and with Grantee, its successors and assigns, that it is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

The true and actual consideration received by Grantor for this easement is \$ 550.00.

Dated this 14 day of Oct, 1987.

COLVIN OIL COMPANY

By M. S. Davis

President

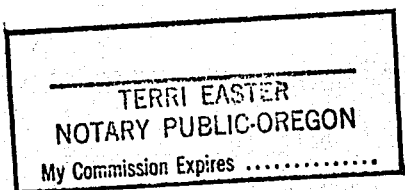
By W. J. Phunt

Secretary

Highway Division
File 57349
Map No. 9B-30-6

STATE OF OREGON, County of Josephine

Oct. 14, 1988. Personally appeared MERVIN W. COLVIN and Wally P. Mortal, who, being sworn, stated that they are the President and Secretary of Colvin Oil Company, and that this instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:



Terri Easter
Notary Public for Oregon

My Commission expires 7-10-91

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slb/acl

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 18th day
of Nov. A.D., 19 88 at 2:24 o'clock P.M., and duly recorded in Vol. M88,
of Deeds on Page 19628.

FEE \$18.00

Evelyn Biehn - County Clerk

By Quentin Mulholland