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ORIGINALVol. map Page 24526File 6328020
10B-7-35**PERMANENT EASEMENTS**

CITY OF KLAMATH FALLS, a municipal corporation of the State of Oregon, Grantor, for the true and actual consideration of \$ -None-* does grant to KLAMATH COUNTY, a political subdivision of the State of Oregon, Grantee, its successors and assigns, a permanent easement to construct and maintain slopes, upon the hereinafter described Parcel 1; and a permanent easement to construct and maintain a roadway upon the hereinafter described Parcel 2, said property being described as follows:

PARCEL 1 - Permanent Easement for Slopes

A tract of land lying in the SW¼SW¼ of Section 15 and NW¼NW¼ of Section 22, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 2 in County Survey No. 5288, filed September 18, 1992 in Klamath County, Oregon; the said tract being that portion of said Parcel 2 lying Northwesternly of a line at right angles to the centerline of the relocated South Klamath Falls Highway at Engineer's Station 'NSK'239+40.00.

The centerline of the relocated South Klamath Falls Highway is described as follows:

Beginning at Engineer's centerline Station 'NSK'202+80.34, said station being 3,492.586 feet North and 2,284.083 feet West of the Southeast corner of Section 16, Township 39 South, Range 9 East, W.M.; thence South 33° 28' 25" East 178.85 feet; thence on a spiral curve left (the long chord of which bears South 36° 08' 23" East 799.31 feet) 800.00 feet; thence on a 2,864.79 foot radius curve left (the long chord of which bears South 49° 38' 35" East 814.19 feet) 816.96 feet; thence on a spiral curve left (the long chord of which bears South 62° 33' 46" East 589.48 feet) 600.00 feet; thence on a 7,639.44 foot radius curve left (the long chord of which bears South 77° 32' 58" East 3,042.61 feet) 3,063.08 feet; thence South 89° 02' 09" East 422.66 feet to Engineer's centerline Station 'NSK'261+59.89.

6-25-88

AFTER RECORDING RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
-RIGHT OF WAY SECTION-
417 TRANSPORTATION BLDG.
-SALEM OR 97310-

Account No.: 39 09 15 00 00700

Property Address: Bare Land

* These easements are donated for roadway purposes.

Bearings are based upon County Survey No. 3565, filed November 16, 1981 in Klamath County, Oregon.

This tract of land contains 3.71 acres, more or less.

TOGETHER WITH all abutter's rights of access between the above-described parcel and Grantor's remaining real property.

PARCEL 2 - Permanent Easement for Road Purposes

A tract of land lying in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 2 in County Survey No. 5286, filed September 18, 1992 in Klamath County, Oregon; the said tract being that portion of said Parcel 2 included in a strip of land variable in width, lying on the Southerly side of the centerline of the relocated South Klamath Falls Highway, which centerline is described in Parcel 1.

The width in feet of said strip of land is as follows:

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Southerly Side of Centerline</u>
'NSK'251+70.00		'NSK'259+10.00	160.00 in a straight line to 150.00
'NSK'259+10.00		'NSK'259+75.00	150.00 in a straight line to 245.00

This tract of land contains 1.91 acres, more or less.

TOGETHER WITH all abutter's rights of access between the relocated South Klamath Falls Highway and Grantor's remaining real property.

IT IS UNDERSTOOD that the easements herein granted do not convey any right or interest in the above-described Parcels 1 and 2, except as stated herein, nor prevent Grantor from the use of said property; provided, however, that such use shall not be permitted to interfere with the rights herein granted or endanger the lateral support of the public way.

IT IS ALSO UNDERSTOOD that Grantee shall never be required to remove the slope materials placed by it on said property, nor shall Grantee be subject to any damages to Grantor and grantor's heirs, successors and assigns, by reason thereof, or by reason of any change of grade of the public way abutting on said property.

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

Grantor agrees the consideration recited herein is just compensation for the property, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property and the construction or improvement of the public way.

ORIGINAL

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24528

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon Klamath County, a political subdivision of the State of Oregon, unless and until accepted and approved by the recording of this document.

Dated this 28th day of June, 19 96.

APPROVED AS TO FORM:

By [Signature]

CITY OF KLAMATH FALLS

By [Signature]

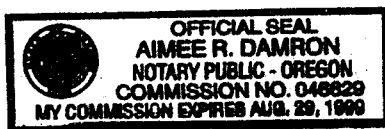
Mayor

By [Signature]

City Recorder

STATE OF OREGON, County of Klamath

June 28, 1996. Personally appeared Todd Kellstrom and Elisa D. Fritz, who, being sworn, stated that they are the Mayor and City Recorder of the City of Klamath Falls, Oregon, a municipal corporation, and that this instrument was voluntarily signed in behalf of said municipal corporation ~~by authority of its Ordinance No. _____, passed by the Council of said City on this~~ day of _____, 1996.



Aimee R. Damron
Notary Public for Oregon

My Commission expires 08/29/99

After recording return to Public Works

6-25-98
Page 3 - EA
asl

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 9th day of August A.D., 19 96 at 3:01 o'clock PM., and duly recorded in Vol. M96 of Deeds on Page 24526.

FEE No Fee

Bernetha G Letsch, County Clerk
By [Signature]