

2007-019091

Klamath County, Oregon

AFTER RECORDING RETURN TO:

City Recorder
500 Klamath Avenue
Klamath Falls, OR 97601



00034779200700190910040040

11/07/2007 11:47:22 AM

Fee: \$36.00

GRANTOR:

Phill E. Kensler and Lisa J. Kensler
5102 Cambridge Court
Klamath Falls, OR 97603

GRANTEE:

City of Klamath Falls, Oregon
A Municipal Corporation
500 Klamath Avenue
Klamath Falls OR 97601

DEED OF DEDICATION FOR PUBLIC RIGHT-OF-WAY

Phill E. Kensler and Lisa J. Kensler, as tenants by the entirety (hereinafter referred to as "Grantor"), in consideration of the the terms of this Deed and other good and valuable consideration, the sufficiency of which is hereby acknowledged, do hereby grant and dedicate to the City of Klamath Falls, Oregon, a municipal corporation (hereinafter referred to as "Grantee"), a perpetual public right-of-way situated in Tract 22-B, ENTERPRISE TRACTS in the City of Klamath Falls, Oregon (hereinafter referred to as "Grantor's Property"). The dedicated area is more fully described on Exhibit A, and depicted on Exhibit B, attached hereto and incorporated herein by this reference. The consideration for this transfer stated in terms of dollars is \$0.00; however the actual consideration consists of or includes other property or value given which is the whole consideration.

The dedicated area may be used for all public right-of-way purposes, including, without limitation, vehicular and pedestrian access and the installation, inspection, maintenance, repair, replacement and use of utility lines, including all necessary appurtenances in, upon, over, across and under the dedicated area. Grantor warrants that the dedicated area is free of encumbrances, except pre-existing easements for utilities that may exist on the property.

It is understood and agreed that the delivery of this deed is hereby tendered and the terms and obligations hereof shall not become binding until this document is accepted and approved by Grantee. By signing below, Grantee hereby accepts and approves the conveyance and dedication made herein.

IN WITNESS WHEREOF, the parties have caused this Deed of Dedication to be executed on the dates written below.

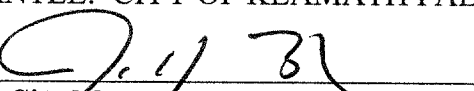
GRANTORS:


Phill E. Kensler


Lisa J. Kensler

GRANTEE: CITY OF KLAMATH FALLS

By:


City Manager

Attest:

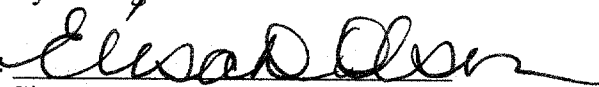

City Recorder

EXHIBIT "A"
ALAMEDA – EBERLEIN AVE. RIGHT OF WAY- LEGAL DESCRIPTION

A parcel of land situated in Tract 22B, "Enterprise Tracts," according to the official plat thereof on file in the office of the County Clerk, Klamath County, Oregon, being more particularly described as follows.

Commencing at a point on the north line of said Tract 22B from which the northeast corner of said Tract 22B bears North 89°46'32" East, 969.54 feet, said point also being the intersection of the south right-of-way line of Eberlein Avenue with the southwesterly right-of-way line of the Klamath Falls-Malin Highway No. 50; thence South 89°51'55" West, 195.79 feet along the south right-of-way line of Eberlein Avenue, to the **True Point of Beginning** of this description; thence South 00°08'05" East, 44.15 feet to a point on the northeasterly right of way line of Alameda Avenue; thence along said northeasterly right-of-way line of Alameda Avenue, said right-of-way line being a 1089.93 radius curve to the left, an arc distance of 108.95 feet (chord of said curve bears North 78°24'58" West, 108.90 feet); thence North 81°17'00" West, 143.10 feet along said northeasterly right-of-way line, to its intersection with the south right-of-way line of Eberlein Avenue; thence North 89°51'55" East, 247.99 feet along said south right-of-way line to the **Point of Beginning**, containing 4983 square feet, more or less. Bearings are based on Record of Survey No. 2313.

STATE FARM INSURANCE PROPOSED R.O.W. DEDICATION EXHIBIT MAP

SITUATED IN
KLAMATH COUNTY, OREGON

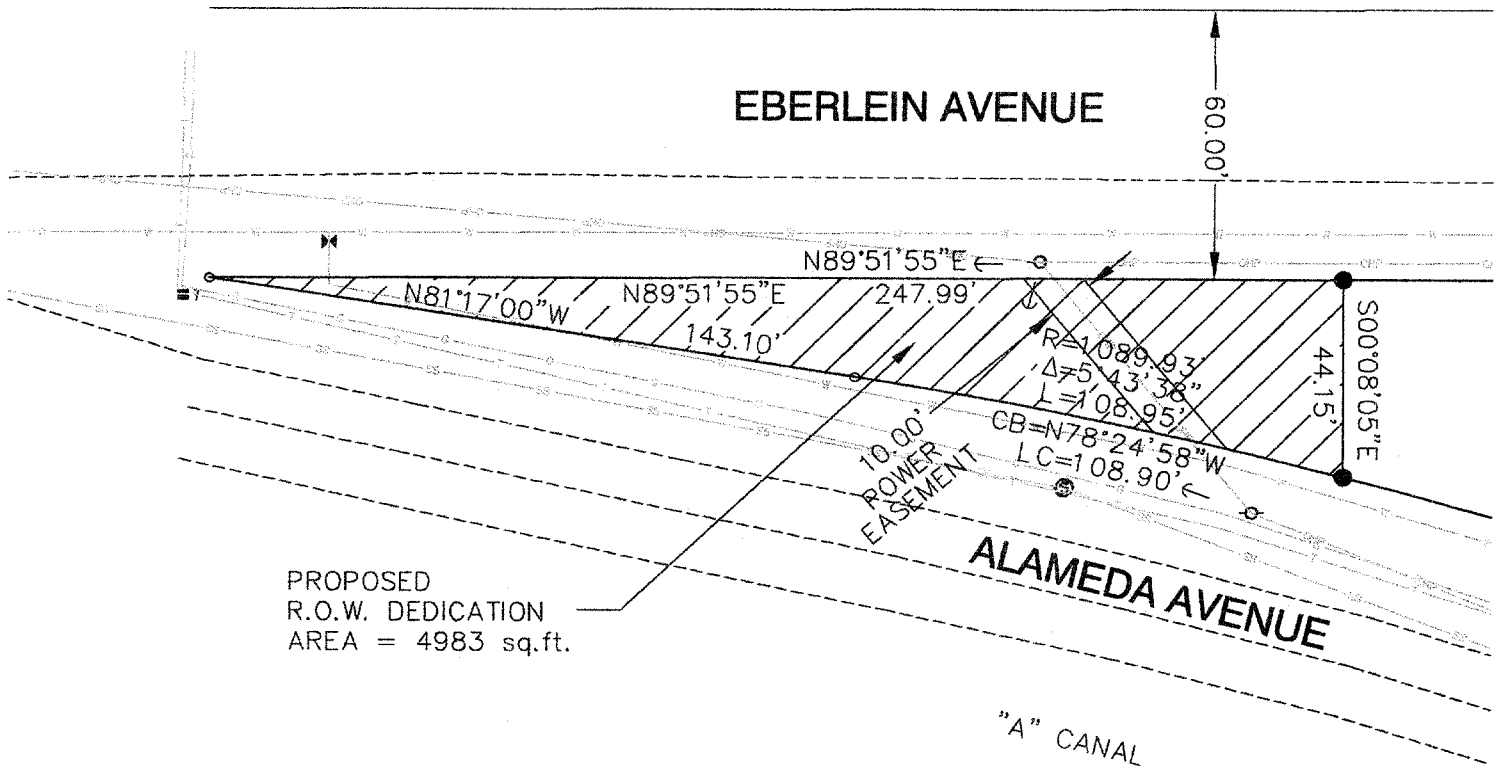


EXHIBIT "B"



SCALE: 1" = 40'

STATE OF OREGON)
) ss.
County of Klamath)



On the 8 day of October, 2007, personally appeared Phil E. Kensler and Lisa J. Kensler, and being first duly sworn, acknowledged this instrument to be their voluntary act and deed.

BEFORE ME:

Anna I. Elias
Notary Public for Oregon
My Commission Expires: 12-20-09

STATE OF OREGON)
) ss.
County of Klamath)

On the 6th day of November, 2007, personally appeared Jeffrey D. Ball and Elisa D. Olson, who, each being first duly sworn, did say that the former is the City Manager and the latter is the City Recorder of the City of Klamath Falls, an Oregon municipal corporation, and that the instrument was signed on behalf of said municipal corporation; and each of them acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:



Shirley F. Kappas
Notary Public for Oregon
My Commission Expires: 9-10-09