

2010-003628

Klamath County, Oregon



03/23/2010 03:50:38 PM

Fee: \$47.00

**AFTER RECORDING RETURN TO:**

City Recorder  
500 Klamath Avenue  
Klamath Falls, OR 97601

**GRANTOR:**

Klamath Cascade Group, LLC  
2960 Maywood Drive #7  
Klamath Falls, OR 97603

**GRANTEE:**

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

Returned to County

**DEED OF DEDICATION FOR PUBLIC RIGHT-OF-WAY  
– NORTHERN HEIGHTS BOULEVARD –**

Klamath Cascade Group, LLC, an Oregon limited liability company (hereinafter referred to as "Grantor"), in consideration of the terms and conditions of this Deed and other good and valuable consideration, the sufficiency of which is hereby acknowledged, does 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 on a portion of the SE ¼ of Section 18, Township 38 South Range 9 East of the Willamette Meridian in the City of Klamath Falls, Klamath County, Oregon (hereinafter referred to as "Grantor's Property"). The dedicated area is legally described on Exhibit A, attached hereto and incorporated herein by this reference ("Dedicated Property"). 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 intent of this conveyance is to dedicate as a public right-of-way that perpetual "Right of Way and Public Utility Easement" described in Klamath County records at volume M95, page 27484, and Grantor and Grantee hereby intend and agree that such Easement is hereby released and extinguished by this Deed once this Deed has been formally accepted by Grantee and recorded in Klamath County records.

The Dedicated Property 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 Property is free of encumbrances, except pre-existing easements for utilities that may exist on the property.

This Deed of Dedication, and the rights and obligations granted and imposed herein, shall run with Grantor's Property and the Dedicated Property, including any division or partition of the Properties. The rights, covenants and obligations of this Deed shall bind burden and/or benefit all subsequent purchasers of Grantor's Property, the Grantee, and the heirs, successors and assigns of Grantor and Grantee.

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.

GRANTOR – Klamath Cascade Group, LLC

By: [Signature]  
Bob Stewart, Operating Manager

GRANTEE – City of Klamath Falls, Oregon

By: [Signature]  
Jeff Ball, City Manager

STATE OF OREGON       )  
                                  ) ss.  
County of Klamath       )

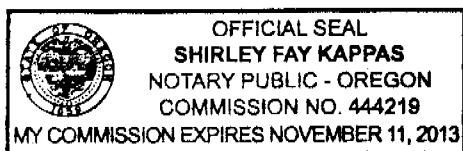
On the 16 day of February, 2010, personally appeared Bob Stewart, as Operating Manager of Klamath Cascade Group, LLC and, being first duly sworn, did acknowledge that the foregoing instrument was signed on behalf of said LLC, that he is authorized to execute this instrument, and that said instrument is the LLC's voluntary act and deed.



BEFORE ME: Lisa Weatherby  
[Signature]  
Notary Public for Oregon  
My Commission Expires: 11/20/2011

STATE OF OREGON       )  
                                  ) ss  
County of Klamath       )

On the 3rd day of March, 2010, personally appeared Jeffrey D. Ball, who, being first duly sworn, did say that he is the City Manager of the City of Klamath Falls, an Oregon municipal corporation, and that this instrument was signed on behalf of said municipal corporation; and he acknowledged said instrument to be the City's voluntary act and deed.



BEFORE ME:  
Shirley Fay Kappas  
Notary Public for Oregon  
My Commission Expires: 11-11-2013

**EXHIBIT "A"**  
**NORTHERN HEIGHTS BLVD.**

**RIGHT OF WAY DEDICATION**

**A 100.00 foot wide right-of-way located in the SE $\frac{1}{4}$  of Section 18, T.38S., R.9E., W.M., Klamath County, Oregon, being more particularly described as follows:**

**Beginning at point on the East line of said Section 18 from which the S $\frac{1}{4}$  corner common to Sections 17 and 18 bears N1°14'29"E 463.88 feet; thence S1°14'29"W 105.13 feet; thence S73°16'28"W 119.67 feet; thence 147.99 feet along the arc of a 150.00 foot radius curve to the left, the long chord of which bears S45°00'34"W 142.06 feet; thence S16°44'41"W 54.89 feet, more or less, to the northerly right-of-way line of west Campus Way; thence following said right-of-way 100.05 feet along the arc of a 873.19 foot radius curve to the left, the long chord of which bears N73°15'19"W 100.00 feet; thence N16°44'41"E 54.89 feet; thence 246.66 feet along the arc of a 250.00 foot radius curve to the right, the long chord of which bears N45°00'34"E 236.77 feet; thence N73°16'28"E 152.11 feet to the point of beginning, containing 0.89 acres.**