

2010-003629

Klamath County, Oregon



00081645201000036290040043

03/23/2010 03:51:38 PM

Fee: \$52.00

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

**DEED OF DEDICATION FOR PUBLIC RIGHT-OF-WAY
- ESI WAY -**

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 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 Easement" described in Klamath County records at volume M02, page 45656, 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)

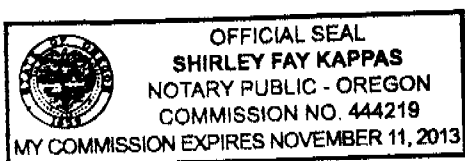
On the 16 day of February, 2010, personally appeared Bob Stewart, as Operating Manager of Klamath Cascade Group, LLC and, being first duly sworn, did acknowledge that the foregoing instrument was signed on behalf of said LLC, that he is authorized to execute this instrument, and that said instrument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

PARCEL I (RIGHT-OF-WAY DEDICATION)

A PARCEL OF LAND LYING IN THE NORTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER, THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER, AND THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 18, TOWNSHIP 38 SOUTH, RANGE 9 EAST OF THE WILLAMETTE MERIDIAN, KLAMATH COUNTY, OREGON, SAID PARCEL ALSO BEING THAT PORTION WITHIN A STRIP OF LAND LYING ON THE LEFT AND RIGHT SIDE OF THE LINE DELINEATED BY FOLLOWING THE BELOW NOTED STATIONS AND OFFSETS OF THE CENTERLINE OF ESI WAY AS SAID CENTERLINE IS DESCRIBED BELOW.

COMMENCING AT STATION 0+00 AT THE INTERSECTION OF SYKES BLVD. CENTERLINE AND ESI WAY CENTERLINE, SAID POINT BEARS SOUTH 23°32'00" EAST, 1206.80 FEET FROM THE CENTER-EAST ONE-SIXTEENTH CORNER OF SAID SECTION 18, EVIDENCED BY A ¼" IRON PIPE WITH 2" ALUMINUM CAP MARKED "L.S. 993"; THENCE SOUTH 71°07'11" WEST, 40.30 FEET TO STATION 0+40.30, SAID POINT BEING THE INTERSECTION OF THE CENTERLINE OF ESI WAY AND THE WESTERLY RIGHT-OF-WAY OF SYKES BLVD. AND THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY SOUTH 71°07'11" WEST 50.81 FEET TO A POINT OF CURVATURE AND STATION 0+91.11; THENCE ALONG THE ARC OF A 300.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 59°38'39", AN ARC DISTANCE OF 312.30 FEET (THE LONG CHORD OF WHICH BEARS NORTH 79°03'30" WEST, 298.38 FEET) TO A POINT OF COMPOUND CURVATURE AND STATION 4+03.41; THENCE ALONG THE ARC OF A 1000.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 18°43'15", AN ARC DISTANCE OF 326.74 FEET (THE LONG CHORD OF WHICH BEARS NORTH 39°52'33" WEST, 325.29 FEET) TO A POINT OF TANGENCY AND STATION 7+30.15; THENCE NORTH 30°30'56" WEST, 49.17 FEET TO A POINT OF CURVATURE AND STATION 7+79.32; THENCE ALONG THE ARC OF A 1000.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 10°11'14", AN ARC DISTANCE OF 177.80 FEET (THE LONG CHORD OF WHICH BEARS NORTH 25°25'19" WEST, 177.57 FEET) TO A POINT OF REVERSE CURVATURE AND STATION 9+57.12; THENCE ALONG THE ARC OF A 500.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 26°10'56", AN ARC DISTANCE OF 228.48 FEET (THE LONG CHORD OF WHICH BEARS NORTH 33°25'10" WEST, 226.50 FEET) TO A POINT OF REVERSE CURVATURE AND STATION 11+85.60; THENCE ALONG THE ARC OF A 500.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 47°53'42", AN ARC DISTANCE OF 417.96 FEET (THE LONG CHORD OF WHICH BEARS NORTH 22°33'47" WEST, 405.90 FEET) TO A POINT OF TANGENCY AND STATION 16+03.57; THENCE NORTH 01°23'04" EAST, 1096.43 FEET TO THE POINT OF TERMINUS AND STATION 27+00, SAID POINT BEARS SOUTH 58°51'25" WEST, 576.30 FEET FROM THE NORTHEAST ONE-SIXTEENTH CORNER OF SAID SECTION 18, EVIDENCED BY A ¼" IRON PIPE.

BEARINGS ARE BASED UPON FOUND MONUMENTATION SHOWN ON LAND PARTITION NO. 12-00 AS FILED IN KLAMATH COUNTY RECORDS, KLAMATH COUNTY, OREGON.

<u>STATION TO STATION</u>	<u>LEFT O/S</u>	<u>RIGHT O/S</u>
0+40.30 TO 0+52.93	TAPER 52.73' TO 40.00'	TAPER 52.54' TO 40.00'
0+52.93 TO 16+30.72	40.00'	40.00'
16+30.72 TO 25+39.73	30.00'	40.00'

THE PARCEL OF LAND TO WHICH THIS DESCRIPTION APPLIES CONTAINS 4.39 ACRES (191,025 SQUARE FEET) MORE OR LESS.