

2010-003630

Klamath County, Oregon



00081646201000036300030033

03/23/2010 03:51:47 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

**DEED OF DEDICATION FOR PUBLIC RIGHT-OF-WAY
- NEW 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 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 easement described in Klamath County records at volume M95, page 27483, 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: Bob Stewart
Bob Stewart, Operating Manager

GRANTEE – City of Klamath Falls, Oregon

By: Jeff Ball
Jeff Ball, City Manager

STATE OF OREGON)
) ss.
County of Klamath)

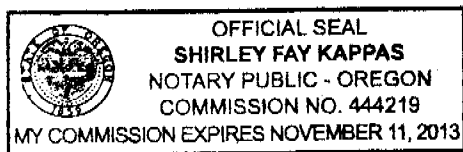
On the 16 day of February, 2010, personally appeared Bob Stewart, as Operating Manager of Klamath Cascade Group, LLC and, being first duly sworn, did acknowledge that the foregoing instrument was signed on behalf of said LLC, that he is authorized to execute this instrument, and that said instrument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



BEFORE ME: Lisa Weatherby
Lisa Weatherby
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"
NEW WAY (SYKES WAY)

RIGHT OF WAY DEDICATION

A strip of land located in the SE¼ of Section 18, T.38S., R.9E., W.M., Klamath County, Oregon, being more particularly described as follows:

Beginning at a point on the north line of the SE¼ of Section 18, T.38S., R.9E., W.M., from which the E¼ corner of said Section 18 bears S87°53'31"E 736.30 feet; thence S49°29'45"W 199.60 feet; thence 140.17 feet along the arc of a 435.00 foot radius curve to the left, the long chord of which bears S48°15'51"W 139.57 feet; thence S58°58'02"E 5.00 feet; thence 434.67 feet along the arc of a 430.00 foot radius curve to the left, the long chord of which bears S2°04'26"W 416.40 feet; thence S26°53'05"E 199.45 feet; thence 143.36 feet along the arc of a 1040.00 foot radius curve to the right, the long chord of which bears S22°56'09"E 143.24 feet; thence S18°59'13"E 457.59 feet; thence 261.35 feet along the arc of a 560.00 foot radius curve to the left, the long chord of which bears S32°21'25"E 258.99 feet; thence N44°16'24"E 25.00 feet; thence 40.32 feet along the arc of a 535.00 foot radius curve to the left; the long chord of which bears S47°53'09"E 40.31 feet; thence S50°02'41"E 229.34 feet; thence 57.98 feet along the arc of a 535.00 foot radius curve to the right, the long chord of which bears S46°56'24"E 57.95 feet; thence S43°50'08"E 83.15 feet to the northwesterly right-of-way line of Northern Heights Boulevard; thence southwesterly 105.93 feet along the arc of a 250.00 foot radius curve to the left, the long chord of which bears S49°06'26"W 105.14 feet; thence N43°50'08"W 77.75 feet; thence 46.60 feet along the arc of a 430.00 foot radius curve to the left, the long chord of which bears N46°56'24"W 46.58 feet; thence N50°02'41"W 229.34 feet; thence 346.92 feet along the arc of a 640.00 foot radius curve to the right, the long chord of which bears N34°30'57"W 342.69 feet; thence N18°59'13"W 457.59 feet; thence 132.33 feet along the arc of a 960.00 foot radius curve to the left, the long chord of which bears N22°56'09"W 132.22 feet; thence N26°53'05"W 199.45 feet; thence 679.88 feet along the arc of a 510.00 foot radius curve to the right, the long chord of which bears N11°18'20"E 630.64 feet; thence N49°29'45"E 118.07 feet to a point on the north line of the SE¼ of Section 18, T.38S., R.9E., W.M.; thence S87°53'31"E 110.78 feet to the point of beginning, containing 4.35 acres.