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04/16/2010 03:01:17 PM

Fee: \$52.00

ATE 67202

PERMANENT EASEMENT

HENRY F. CURRY, JR, Grantor, for the true and actual consideration of \$ 1000, does grant unto the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION**, Grantee, its successors and assigns, a permanent easement to construct and maintain an access road over and across the property described on **Exhibit "A"** dated **11/02/2009**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described property, except for the purposes stated herein, nor prevent Grantor from the use of said property; provided, however, that such use does not interfere with the rights herein granted.

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 that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM OR 97301-3871

Map and Tax Lot #: 38-11V-27-00602

Property Address: 23229 Hwy 140E
Bonanza, OR 97623

ATE 52

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.

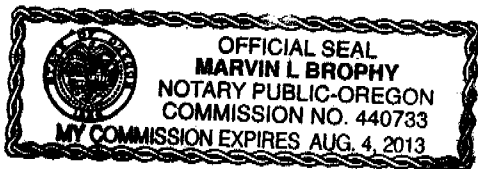
Dated this 6th day of April, 2010.

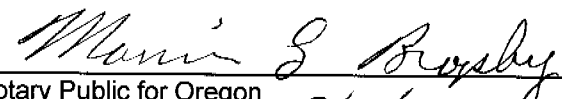


Henry F. Curry, Jr.

STATE OF OREGON, County of KLAMATH

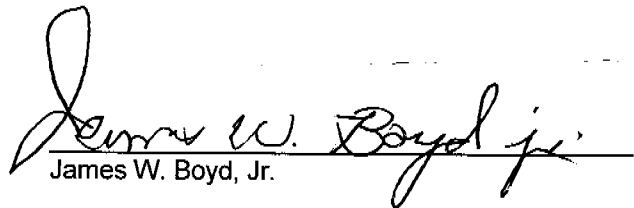
Dated APRIL 6, 2010. Personally appeared, and signed before me by the above named Henry F. Curry, Jr., who acknowledged the foregoing instrument to be his voluntary act. Before me:




Notary Public for Oregon
My Commission expires 8/4/2013

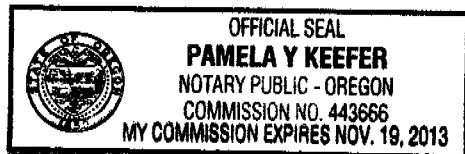
SUBORDINATION OF INTEREST

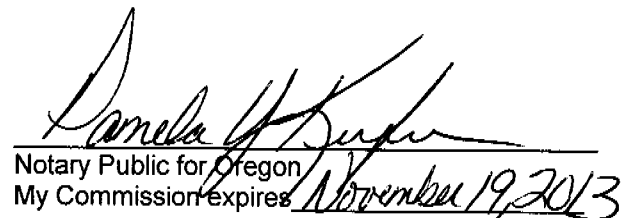
JAMES W. BOYD, Jr., subordinates all rights, title and interest in and to the hereinabove described property to that certain permanent easement for access road, heretofore granted over said property, to the State of Oregon, by and through its Department of Transportation.


James W. Boyd, Jr.

STATE OF OREGON, County of Clatsop

Dated March 26, 20 11. Personally appeared, and signed before me by, the above named James W. Boyd, Jr., who acknowledged the foregoing instrument to be his voluntary act. Before me:




Notary Public for Oregon
My Commission expires November 19, 2013

Permanent Easement for Access Road

A parcel of land lying in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 38 South, Range 11 $\frac{1}{2}$ East, W.M., Klamath County, Oregon and being a portion of that property described in that Statutory Warranty Deed to Henry F. Curry, Jr., recorded November 9, 1998 in Book M98, Page 40911, Klamath County Record of Deeds; the said parcel being that portion of said land included in strip of land 20.00 feet in width, 10.00 feet on each side of the center line of the relocated Dairy Pit Haul Road, which center line is described as follows:

Beginning at Engineer's Station 1+00.00, said station being on the Northwestern right of way line of the relocated Klamath Falls - Lakeview Highway, 50.00 feet from center line, with said station being 577.18 feet North and 403.48 feet West of the East quarter corner of Section 27, Township 38 South, Range 11 $\frac{1}{2}$ East, W.M.; thence North 60° 41' 01" West 255.00 feet; thence North 66° 05' 03" West 160.00 feet; thence North 75° 34' 28" West 375.00 feet; thence North 84° 52' 20" West 184.42 feet to that center line described in an Easement to the State of Oregon, by and through its State Highway Commission, recorded September 29, 1938 in Book 117, Page 593, Klamath County Record of Deeds, at Engineer's Station 10+74.42 P.I. Back equals 9+60.40 P.I. Ahead; thence continuing along said Easement center line South 88° 13' 24" West 57.60 feet; thence North 70° 18' 36" West 400.00 feet; thence North 75° 40' 36" West 342.00 feet; thence North 72° 14' 36" West 430.00 feet; thence, leaving said Easement center line, on a 200.00 foot radius curve right (which long chord bears North 50° 45' 27" West 146.51 feet) 150.00 feet; thence North 29° 16' 18" West 50.00 feet To Engineer's Station 23+90.00.

The side lines of said strip of land are to be extended or shortened to meet at angle points and to begin on the Northwestern right of way line of the Klamath Falls - Lakeview Highway.

Bearings are based upon CS 6762, Survey Records of Klamath County.

This parcel of land contains 11,558 square feet, more or less.