

mtc 92422

2013-003639
Klamath County, Oregon
04/05/2013 10:56:37 AM
Fee: \$62.00

PERMANENT EASEMENT

AUDREY BARBARA GIGLER, as to a Life Estate; and RICHARD ANDREW GIGLER, individually and as Guardian Ad Litem for Robert Allen Gigler, Grantor, for the true and actual consideration of \$3,640, does grant to the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, its successors and assigns, a permanent easement to install, operate, and maintain traffic control facilities, and its appurtenances, including traffic signal vehicle loop detectors, under, over, and across the property described as Parcel 1 on Exhibit "A" dated 3/16/2012, attached hereto and by this reference made a part hereof.

TOGETHER WITH ALL abutter's rights of access, if any, between the above-described parcel and Grantor's remaining real property, EXCEPT, however,

Reserving access rights for the service of Grantor's remaining property, to and from said remaining property to the abutting highway at the following place(s), in the following width(s):

Hwy. Engr's Sta.	Side of Hwy.	Width
76+19	Southerly/Right	35'

The access rights reserved herein are subject to, and may only be exercised in accordance with, the statutes and administrative rules applicable to access control and road approaches. Such access is contingent upon issuance of an approach road permit, and no access rights may be exercised or construction of an approach road begun unless, and until, a standard Approach Road Permit application is submitted and a permit issued by the Oregon Department of Transportation. The approach road may only be constructed or maintained upon issuance of such permit and in accordance with such permit. If the State constructs the approach road during a highway project, Grantor is required to sign a standard Approach Road Permit to ensure proper operation and maintenance of the approach road.

AFTER RECORDING RETURN TO:
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
4040 FAIRVIEW INDUSTRIAL DRIVE SE MS#2
SALEM OR 97302-1142

Map and Tax Lot #: 3909-002CB-07600-000

Property Address:

62 AMT

IT IS UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however, that such use does not interfere with the rights herein granted. Grantee, its successors and assigns, shall have the right to go upon the real property herein above described for the purpose of installing, operating, and maintaining said traffic control facilities and its appurtenances.

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.

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.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 3 day of 21, 2013.

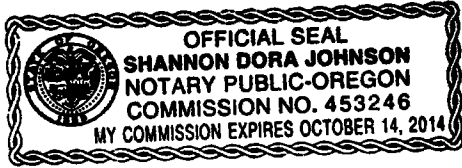


Audrey Barbara Gigler
Audrey Barbara Gigler, as to a Life Estate

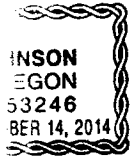
Richard Andrew Gigler, Individually and as Guardian, for
Robert Allen Gigler

STATE OF OREGON, County of Umatilla

Dated 3-21-13, 20 13. Personally appeared the above named Audrey Barbara Gigler, as a Life Estate, and acknowledged the foregoing instrument to be her voluntary act. Before me:



Notary Public for Oregon
My Commission expires Oct 14 2014



STATE OF OREGON, County of _____

Dated _____, 20 _____. Personally appeared the above named Richard Andrew Gigler, individually and as Guardian, for Robert Allen Gigler, and acknowledged the foregoing instrument to be his voluntary act. Before me:

Notary Public for Oregon
My Commission expires _____

Accepted on behalf of the Oregon Department of Transportation

File 7582 007
Drawing 11B-6-15

IT IS UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however, that such use does not interfere with the rights herein granted. Grantee, its successors and assigns, shall have the right to go upon the real property herein above described for the purpose of installing, operating, and maintaining said traffic control facilities and its appurtenances.

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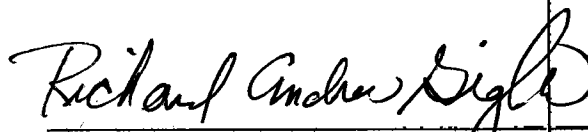
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In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this March day of 19th, 2013.

Audrey Barbara Gigler, as to a Life Estate



Richard Andrew Gigler, Individually and as Guardian, for
Robert Allen Gigler

File 7582 007
Drawing 11B-6-15

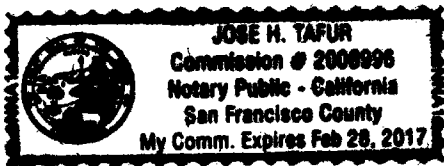
STATE OF OREGON, County of _____

Dated _____, 20____, Personally appeared the above named Audrey Barbara Gigler, as a Life Estate, and acknowledged the foregoing instrument to be her voluntary act. Before me:

Notary Public for Oregon
My Commission expires _____

CALIFORNIA
STATE OF ~~OREGON~~, County of SAN FRANCISCO

Dated 3/20, 2013. Personally appeared the above named Richard Andrew Gigler, individually and as Guardian, for Robert Allen Gigler, and acknowledged the foregoing instrument to be his voluntary act. Before me:



[Signature]

Notary Public for ~~Oregon~~ *CALIFORNIA*
My Commission expires _____

Accepted on behalf of the Oregon Department of Transportation

[Signature]

Permanent Easement For Traffic Control Facilities

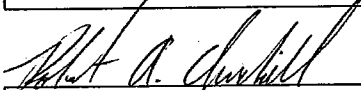
A parcel of land lying in the NW¼SW¼ of Section 2, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Deed to Audrey Barbara Gigler, Richard Andrew Gigler, and Robert Allen Gigler Guardian Ad Litem, recorded January 10, 2012 in Book 2012, Page 000195, Klamath County Record of Deeds; said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer’s Stations 76+40.00 and 77+31.00 and included in a strip of land 49.00 feet in width, lying on the Southerly side of said center line, which center line is described as follows:

Beginning at Engineer’s center line Station 75+21.60, said station being 131.80 feet East and 1.47 feet South of the West quarter corner of Section 2, Township 39 South, Range 9 East W.M.; thence North 89° 44' 04" East 2,984.00 feet; thence South 89° 52' 38" East 2,309.15 feet to Engineer’s center line Station 128+14.75 Back equals 128+15.00 Ahead, on said center line.

Bearings are based on County Survey No. 7892, filed January, 2012, Klamath County, Oregon.

This parcel of land contains 364 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
MAY 10, 2011
ROBERT A. CHURCHILL
77636

RENEWS: 12/31/2013