

2015-005735  
Klamath County, Oregon  
06/03/2015 09:58:15 AM  
Fee: \$72.00



### PERMANENT EASEMENT and SUBORDINATION

**PARADISE HILL DEVELOPMENT, LLC**, an Oregon limited liability company, Grantor, for the true and actual consideration of \$6,500, does grant to the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION**, Grantee, its successors and assigns, a permanent easement to construct, reconstruct, repair, and maintain a public highway and its appurtenances and facilities, and also to construct and maintain water, gas, electric and communication service lines, fixtures and facilities, and appurtenances therefore, upon, over, under and across the property described on **Exhibit "A" dated 10/10/2014**, attached hereto and by this reference made a part hereof.

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 reduction in value 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.

**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 #: 38 09 21 00100; 38 09 22 00200  
and 38 09 04800  
Property Address:

*Lotant*

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 day of May 6, 20 15.

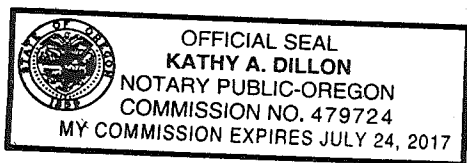
PARADISE HILL DEVELOPMENT, LLC, an Oregon  
limited liability company

Mark R. Wendt - Manager  
Member(s) / Manager(s)

Karen Lynch - member  
Member(s) / Manager(s)

STATE OF OREGON, County of Klamath

Dated May 6, 20 15. Personally appeared the above named Mark R. Wendt  
and Karen Lynch, Member(s) / Manager(s) of Paradise Hill Development, LLC, an Oregon  
limited liability company, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Kathy A. Dillon  
Notary Public for Oregon  
My Commission expires 7/24/17

Accepted on behalf of the Oregon Department of Transportation

[Signature]

**SUBORDINATION OF TRUST DEED**

**WASHINGTON FEDERAL, NATIONAL ASSOCIATION**, being the successor beneficiary in that certain Trust Deed executed by Paradise Hill Development LLC, an Oregon limited liability company, dated December 21, 2006, and recorded December 29, 2006, in Document No. 2006-025538, and that Assignment of Deed of Trust recorded February 9, 2012, in Document No. 2012-001487, Records of Klamath County, Oregon, does consent to that permanent easement for high way right of way purposes, herein granted over said property by Paradise Hill Development LLC, an Oregon limited liability company, to the State of Oregon, by and through its Department of Transportation, and subordinates the lien of said Trust Deed to said easement.

Dated 4<sup>th</sup> day of May, 2015.

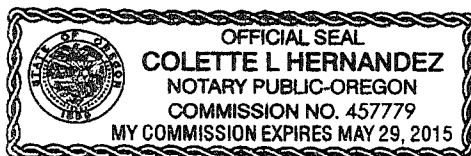
**WASHINGTON FEDERAL, NATIONAL ASSOCIATION**

By Belya

By VP/DIVISION MGR

STATE OF OREGON, County of Klamath

Dated May 4, 2015. Personally appeared the above named Bridgitte Griffin and \_\_\_\_\_, known by me to be the Division Manager and \_\_\_\_\_, of Washington Federal, National Association, who acknowledged that he/she/they executed the same for the purposes therein expressed and in the capacity therein stated, as the act and deed of said Bank. Before me:



Colette L. Hernandez  
Notary Public for Oregon  
My Commission expires May 29, 2015

**Permanent Easement For Highway Right Of Way Purposes**

A parcel of land in the SE¼ of Section 16, the NE¼ of Section 21 and the W½ of Section 22, all in Township 38 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Personal Representative's Deed to Paradise Hill Development, LLC, an Oregon Limited Liability Company, recorded December 29, 2006 in Book 2006, Page 025537 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 60.00 feet in width, 30.00 feet on each side of the following described center line:

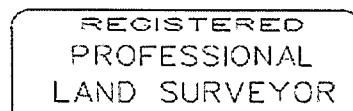
Beginning at Engineer's center line Station 'Collman' 10+00.00, said station being 2,691.68 feet South and 797.12 feet East of the SE corner of Section 16, Township 38 South, Range 9 East, W.M.; thence North 83° 51' 32" West 98.34 feet; thence on a 150.00 feet radius curve right (the long chord of which bears North 65° 47' 46" West 93.02 feet) 94.58 feet; thence North 47° 44' 01" West 272.99 feet; thence on a 400.00 feet radius curve left (the long chord of which bears North 57° 51' 03" West 140.53 feet) 141.26 feet; thence North 67° 58' 05" West 322.94 feet; thence on a 150.00 feet radius curve right (the long chord of which bears North 46° 52' 51" West 107.94 feet) 110.41 feet; thence North 25° 47' 37" West 92.49 feet; thence North 22° 58' 35" West 61.18 feet; thence on a 2,000.00 feet radius curve left (the long chord of which bears North 27° 45' 35" West 333.55 feet) 333.94 feet; thence North 32° 32' 34" West 264.50 feet; thence on a 2,000.00 feet radius curve left (the long chord of which bears North 35° 50' 46" West 230.48 feet) 230.61 feet; thence North 39° 08' 57" West 205.27 feet; thence on a 3,000.00 feet radius curve right (the long chord of which bears North 37° 05' 08" West 216.06 feet) 216.10 feet; thence North 35° 01' 19" West 233.48 feet; thence on a 1,000.00 feet radius curve left (the long chord of which bears North 40° 27' 31" West 189.49 feet) 189.77 feet; thence North 45° 53' 42" West 78.38 feet; thence on a 200.00 feet radius curve right (the long chord of which bears North 26° 38' 46" West 131.87 feet) 134.38 feet; thence North 07° 23' 50" West 96.65 feet; thence on a 400.00 feet radius curve left (the long chord of which bears North 33° 20' 16" West 349.95 feet) 362.20 feet; thence North 59° 16' 41" West 32.79 feet; thence on a 300.00 feet radius curve right (the long chord of which bears North 43° 47' 25" West 160.22 feet) 162.19 feet; thence North 28° 18' 08" West 109.83 feet; thence on a 300.00 feet radius curve right (the long chord of which bears North 17° 39' 36" West 110.80 feet) 111.44 feet; thence North 07° 01' 05" West 154.21 feet; thence on a 400.00 feet radius curve left (the long chord of which bears North 14° 08' 48" West 99.28 feet) 99.54 feet; thence North 21° 16' 32" West 195.50 feet; thence on a 700.00 feet radius curve left (the long chord of which bears North 30° 36' 14" West 226.93 feet)

227.93 feet; thence North 39° 55' 56" West 226.13 feet; thence North 41° 11' 40" West 126.30 feet; thence on a 600.00 feet radius curve left (the long chord of which bears North 45° 34' 27" West 91.63 feet) 91.72 feet; thence North 49° 57' 13" West 63.41 feet; thence on a 425.00 feet radius curve right (the long chord of which bears North 24° 33' 07" West 364.62 feet) 376.84 feet; thence North 00° 50' 59" East 396.73 feet; thence on a 300.00 feet radius curve left (the long chord of which bears North 05° 41' 01" West 68.27 feet) 68.42 feet; thence North 12° 13' 01" West 29.90 feet; thence on a 1,200.00 feet radius curve right (the long chord of which bears North 07° 14' 40" West 208.03 feet) 208.30 feet; thence North 02° 16' 18" West 12.57 feet; thence on a 1,000.00 feet radius curve left (the long chord of which bears North 06° 52' 03" West 160.26 feet) 160.43 feet; thence North 11° 27' 49" West 33.06 feet; thence on a 3,000.00 feet radius curve right (the long chord of which bears North 07° 59' 07" West 364.02 feet) 364.24 feet; thence North 04° 30' 25" West 128.36 feet; thence on a 300.00 feet radius curve left (the long chord of which bears North 21° 38' 56" West 176.84 feet) 179.51 feet; thence North 38° 47' 27" West 160.99 feet Engineer's Station "Collman" 82+59.80 on said center line; sidelines are shortened or lengthened to terminate at the West line of the SW¼NE¼ of said Section 16.

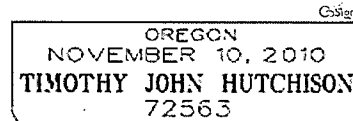
EXCEPT therefrom that portion of said parcel lying within the existing right of way of Collman Dairy Road.

Bearings are based upon the Oregon Coordinate Reference System (O.C.R.S.), Bend-Klamath Falls Zone.

This parcel of land contains 8.82 acres, more or less.



**DIGITAL SIGNATURE**



EXPIRES 6/30/15