



2018-002966

Klamath County, Oregon

03/19/2018 03:08:01 PM

Fee: \$57.00

### PERMANENT EASEMENT

**MARTIN C. TORO and ISABEL DALIA TORO, husband and wife**, Grantor, for the true and actual consideration of \$ 950.<sup>00</sup>, does grant unto the **CITY OF KLAMATH FALLS, a municipal corporation of the State of Oregon**, Grantee, its successors and assigns, a permanent easement to construct a public sidewalk upon the property described as **Parcels 1 and 2 on Exhibit "A" dated December 20, 2016, and Exhibit "B" map dated 12/20/16**, attached hereto and by this reference made a part hereof.

AS SHOWN ON THE ATTACHED EXHIBIT B MAP, HEREIN AND MADE A PART OF THIS DOCUMENT AS SET FORTH ABOVE, THAT IN THE EVENT OF A CONFLICT OR DISCREPANCY BETWEEN THE EXHIBIT B MAP AS SHOWN AND THE WRITTEN LEGAL DESCRIPTION EXHIBIT "A", THE WRITTEN LEGAL DESCRIPTION EXHIBIT "A" SHALL PREVAIL.

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 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.

**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 #: R-3909-004AA-02200

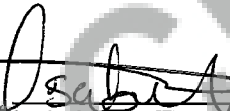
Property Address: 1750 Washburn Way  
Klamath Falls, OR 97603

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 City of Klamath Falls, a municipal corporation of the State of Oregon, unless and until accepted and approved by the recording of this document.

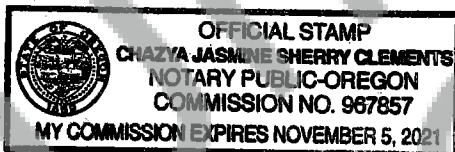
Dated this 2<sup>nd</sup> day of JANUARY, 2018.


  
Martin C. Toro

  
Isabel Dalia Toro

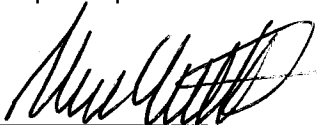
STATE OF OREGON, County of Klamath

Dated March 7, 20 18 Personally appeared, and signed before me by, the above named Martin C. Toro and Isabel Dalia Toro, who acknowledged the foregoing instrument to be their voluntary act. Before me:



  
Notary Public for Oregon  
My Commission expires 11/5/2021

Accepted on behalf of the City of Klamath Falls,  
a municipal corporation of the State of Oregon





Engineers    ^    Planners    ^    Surveyors    ^    Testing

## EXHIBIT A

### Permanent Easement for Sidewalks

An easement over a portion of Lot 15 and 18, Block 3, of that certain map entitled "Plat of Sixth Street Addition", in the County of Klamath, State of Oregon, the said easement being more particularly described as follows:

Parcel 1:

A strip of land being the East 5.50 feet of the North 11.00 feet of said Lot 15, being hereinabove described.

Containing 60 square feet, more or less.

Parcel 2:

A strip of land being the East 3.00 feet of the South 8.50 feet of said Lot 18, being hereinabove described.

Containing 26 square feet, more or less.

Situs Address: 1750 Washburn Way  
Klamath Falls, Oregon  
Taxlot #: R-3909-004AA-02200  
Owner: Martin C. and Isabel Dalia Toro

Date: December 20, 2016

ODOT File #: 9188-003  
Adkins Project #: 1000-1302

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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Michelle McBride*

OREGON  
SEPT. 13, 2016  
MICHELLE McBRIDE  
91120PLS

RENEWS: 01/01/2017



## EXHIBIT B

