



2021-015555
Klamath County, Oregon
10/14/2021 04:04:01 PM
Fee: \$92.00

PERMANENT EASEMENT

LUTHER J. HORSLEY and CANDACE O. HORSLEY, husband and wife, Grantors, for the true and actual consideration of \$500.00, do 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 drainage facilities over and across the property described as Parcel 1 on Exhibit "A" dated 6/2/2020, 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 also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property described as **Parcel 2 on Exhibit "A" dated 6/2/2020**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate three (3) years from the date hereof or upon completion of the State of Oregon Department of Transportation's construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcel 2, 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.

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.

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 #: 3909-03000-01300-1300

Property Address:

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.

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.

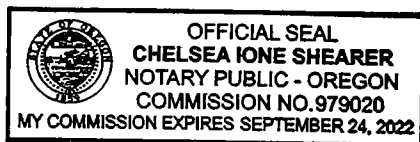
Dated this 28 day of September, 2021.

Luther J. Horsley
Luther J. Horsley
Candace O. Horsley
Candace O. Horsley

STATE OF OREGON, County of Klamath Falls

Dated September 28, 2021. Personally appeared, and signed before me by the above named Luther J.

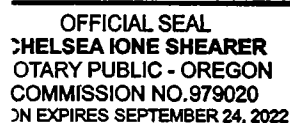
Horsley and Candace O. Horsley, who acknowledged the foregoing instrument to be their voluntary act. Before me:



[Signature]
Notary Public for Oregon
My Commission expires 9/24/2022

Accepted on behalf of the Oregon Department of Transportation

[Signature]



Parcel 1 – Permanent Easement For Drainage Facilities

A parcel of land lying in the SW¼SW¼ of Section 30, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Statutory Bargain and Sale Deed to Luther J. Horsley and Candace O. Horsley, recorded January 12, 1989 in Volume M89, Page 721 of Klamath County Record of Deeds; the said parcel being that portion of said property lying between lines at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Stations 215+78.00 and 216+12.00 and included in a strip of land 62.00 feet in width, lying on the Northwestern side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station "US 97" 210+00.00 P.O.T, said station being 4,720.80 feet South and 4,136.98 feet West of the Northeast quarter of Section 30, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; thence South 36° 49' 35" West 1,000.00 feet to Engineer's center line Station 220+00.00.

Bearings are based upon the Oregon Coordinate Reference System, Bend-Klamath Falls Zone, NAD83 (2011) epoch 2010.00.

This parcel of land contains 408 square feet, more or less.

Parcel 2 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the SW¼SW¼ of Section 30, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Statutory Bargain and Sale Deed to Luther J. Horsley and Candace O. Horsley, recorded January 12, 1989 in Volume M89, Page 721 of Klamath County Record of Deeds; the said parcel being that portion of said property lying between lines at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Stations 215+68.00 and 216+22.00 and included in a strip of land 72.00 feet in width, lying on the Northwestern side of said center line, which center line is described in Parcel 1.

This parcel of land contains 1,188 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED Jun 2 2020 4:07 PM

OREGON
NOVEMBER 10, 2010
TIMOTHY JOHN HUTCHISON
72563

RENEWES: 6-30-2021