

2022-011403

Klamath County, Oregon



00306406202200114030070079

09/21/2022 11:02:22 AM

Fee: \$112.00

Jurisdictional Transfer No. 683

**JURISDICTIONAL TRANSFER &
QUITCLAIM OF ACTIVE RIGHT OF WAY DOCUMENT**

**Esplanade Spur Section
Klamath Falls-Malin Highway (Esplanade Spur Section)
Oregon Route No. US97B, State Highway Number 484
City of Klamath Falls**

By reason of construction it was determined that certain segments of Esplanade Spur Section, on the Klamath Falls-Malin Highway (Esplanade Spur Section) (ORUS97B), State Highway Number 484 identified as Unit 1, is no longer needed as part of the state highway system. Unit 1 is more fully described in the legal description attached hereto and shown on the map attached hereto, marked Exhibit A and Exhibit B respectively, and by this reference made a part hereof. Unit 1 is needed for the service of persons living thereon or for a community served thereby.

On March 11, 2022 the State of Oregon through its Oregon Department of Transportation, herein after State and City of Klamath Falls entered into an Jurisdictional Transfer Agreement 683 to identify the terms necessary to transfer Unit 1 of the Esplanade Spur Section, on the Klamath Falls-Malin Highway (Esplanade Spur Section) (ORUS97B), State Highway Number 484 from State to City of Klamath Falls. As part of that Agreement, City of Klamath Falls approved its acceptance of the conveyance consistent with ORS 93.808, attached hereto and by reference made a part herein.

On September 13, 2022 the Oregon Transportation Commission, or its designee approved Resolution No. 683 to eliminate Unit 1 from the state highway system and relinquished all jurisdiction, control, maintenance and repair responsibilities of Unit 1 to City of Klamath Falls, and directed ODOT to convey all right, title and interest in Unit 1 to City of Klamath Falls consistent with the following provisions:

RETURN TO
TECHNICAL LEADERSHIP CENTER
ATTN: RIGHT OF WAY SECTION
OREGON DEPARTMENT OF TRANSPORTATION
4040 FAIRVIEW INDUSTRIAL DR SE MS#2
SALEM OR 97302-1142

Jurisdictional Transfer No. 683

1. The State of Oregon conveys all right, title, and interest in Unit 1 to City of Klamath Falls for use as a portion of its city street system as long as the Unit 1 is needed for the service of persons living thereon or a community served thereby.

Any right-of-way being transferred in which state has any title shall be vested in City only so long as used for public road purposes. If said right-of-way is no longer used for public road purposes, it shall automatically revert to State. Unit 1 is described in Exhibit A and shown on Exhibit B.

2. The property described in Unit 1 is transferred subject to the rights of any utilities located within said property and further subject to the rights of the owners of said existing facilities if any there be, to operate, reconstruct, and maintain their utility facilities presently located within said property.
3. The property described in Unit 1 is transferred subject to all permits and agreements, if any there be, made between State of Oregon and abutting land owners.
4. State shall ensure that all curb ramps are made compliant with the Americans with Disabilities Act of 1990 (ADA) at locations identified on Exhibit D consistent with the terms of Jurisdictional Transfer Agreement Number 683.

The Oregon Transportation Commission, by a duly adopted Delegation Order OTC – 01; Delegation Order No. DIR-03, Paragraph No. A-21; Delegation Order No. HWY 04, Paragraph No. A-8; and Delegation Order No. TSB 04, Paragraph No. A-6, all dated December 1, 2010, authorize the State Right of Way Manager to sign this Jurisdictional Transfer Document for and on behalf of the Commission.

Dated this 15th day of September, 20 22.

**STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION**

By 
Georgine Gleason, Interim State Right of Way Manager

Jurisdictional Transfer No. 683

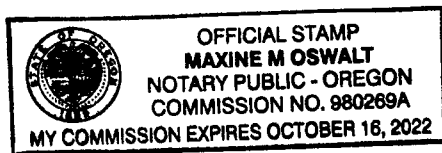
STATE OF OREGON, County of Marion

Dated SEPT 15, 2022. Personally appeared Georgine Gleason, who stated that she is the Interim State Right of Way Manager for the State of Oregon, Department of Transportation, and that this document was voluntarily signed on behalf of the State of Oregon by authority delegated to her. Before me:



Notary Public for Oregon

My Commission expires 021 16, 2022



Transferred To The City of Klamath Falls

All that portion of the existing Esplanade Ave (Esplanade Spur, Highway 484) lying within Sections 28 and 29, Township 38 South, Range 9 East, W.M. Klamath County, Oregon; being all right of way boundaries of Esplanade Avenue (Esplanade Spur, Highway 484) in the City of Klamath Falls lying between Mile Point 4.97; said point being 50 feet Southerly of the center line of the Klamath – Malin Highway No. 50 and Mile Point 5.10; said point being the Southwesterly right of way of Southern Pacific Railroad Overpass in the City of Klamath Falls.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED

OREGON
JUNE 13, 2008
MICHAEL RAEY FALLERT
78960

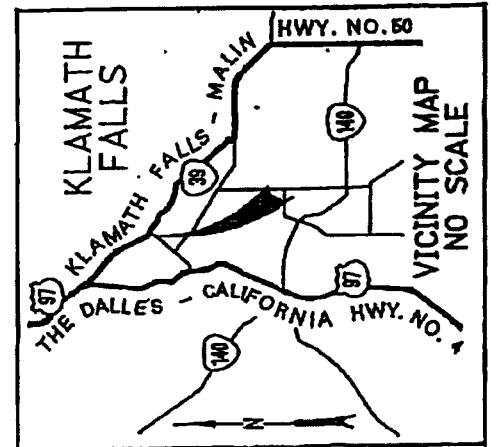
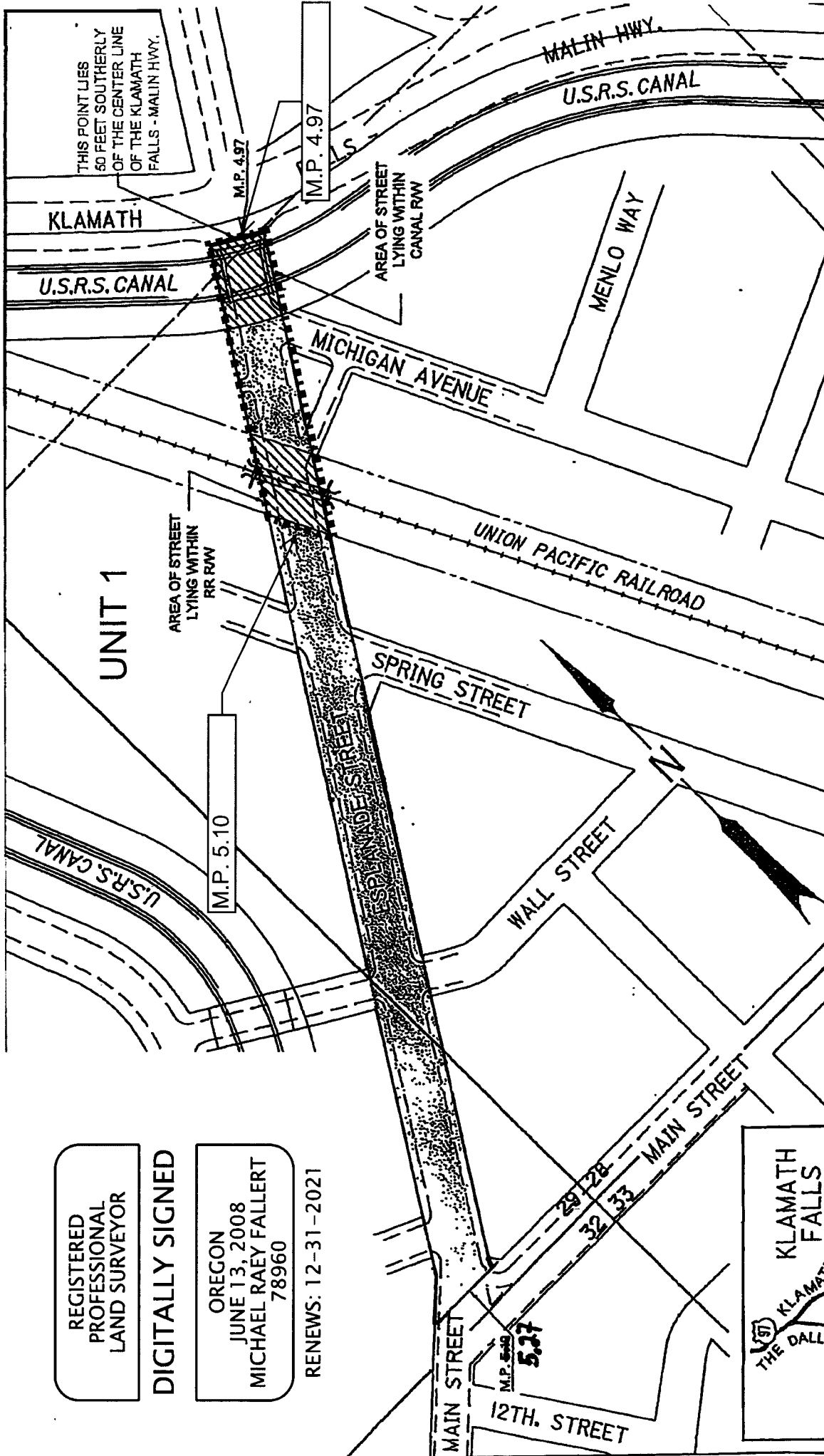
RENEWS: 12-31-2021

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED

OREGON
JUNE 13, 2008
MICHAEL RAEY FALLERT
78960

RENEWS: 12-31-2021



OREGON DEPARTMENT OF TRANSPORTATION

JURISDICTIONAL TRANSFER

NO. 683

KLAMATH FALLS - MALIN HIGHWAY (ESPLANADE SPUR)

KALAMATH COUNTY

EXHIBIT B

EXHIBIT C
Acceptance of Jurisdictional Transfer
& Quitclaim of Active Right of Way

Esplanade Spur Section
Klamath Falls – Malin Highway Highway
City of Klamath Falls

The Parties agree that signing this Agreement and Acceptance page serves as an indication of approval, pursuant to ORS 93.808, of the following conveyances from the State to the City of Klamath Falls:

All that portion of the existing Esplanade Ave (Esplanade Spur, Highway 484) lying within Sections 28 and 29, Township 38 South, Range 9 East, W.M. Klamath County, Oregon; being all right of way boundaries of Esplanade Avenue (Esplanade Spur, Highway 484) in the City of Klamath Falls lying between Mile Point 4.97; said point being 50 feet Southerly of the center line of the Klamath – Malin Highway No. 50 and Mile Point 5.10; said point being the Southwesterly right of way of Southern Pacific Railroad Overpass in the City of Klamath Falls.

Accepted By:

City of Klamath Falls, by and through its elected officials

By

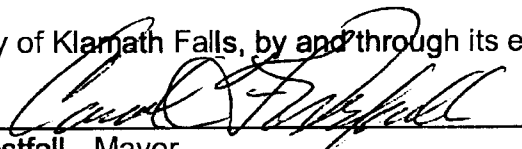

Westfall - Mayor

EXHIBIT D – ADA Inventory

Jurisdictional Transfer (JT683)

Klamath Falls-Malin & Esplanade Spur Highway – City of Klamath Falls

HWY 484 MP 4.97-5.07

1. HWY 484 MP 5.00 (Michigan Ave.)
2. HWY 484 MP 5.05 (Leg (To Michigan Ave.))

Location Ratings:

GOOD: Do not require remediation

NOT NEEDED: Do not require remediation

POOR, FAIR or MISSING: Remediation required

Total Curb Ramps Requiring Remediation:

NOT NEEDED: 1 Ramp Position

POOR: 4 Ramp Positions

MISSING: 3 Ramp Positions