AFTER RECORDING RETURN TO:

Klamath County Public Works 305 Main Street Klamath Falls, OR 97601

00306606202200115650050059

09/26/2022 10:26:22 AM

2022-011565

Klamath County, Oregon

Fee: \$102.00

GRANTOR:

Appolonio, John 1716 Madison Street Klamath Falls, OR 97603

GRANTEE:

Klamath County 305 Main Street Klamath Falls, OR 97601

RIGHT OF WAY DEDICATION

John Appolonio, an individual, hereinafter called Grantor, does hereby grant unto the County of Klamath, a political subdivision of the State of Oregon and Grantee, hereinafter called the "County", a perpetual right-of-way for road and public utility purposes on, over, and under the following described real property situated in Klamath County, Oregon:

- See attached Exhibit A Legal Description and;
- See attached Sketch Map "1716 Madison Street Exhibit"

All attached hereto and by this reference incorporated herein.

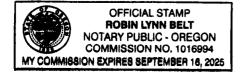
Dated this 25 day of Qugust-

The true consideration of this conveyance is for \$500.00, the receipt of which is hereby acknowledged by GRANTOR.

The dedicated property shall only be used for the purpose of public street improvements and related appurtenances, which includes utilities.

And the GRANTOR warrants that 1) GRANTOR has marketable title to the property, 2) the County may peaceably enjoy the rights and benefits of this dedication, 3) there are no other interests in the property which conflict with the County's intended use of this dedication, 4) the property is free of encumbrances except those of which GRANTOR has notified the County, and 5) GRANTOR has the unrestricted right to dedicate the property without additional consent or permission.

| GRANTOR: Appolonio, Jo | | ~ | |
|------------------------|-------------------|-------------------|--|
| | STATE OF | OREGON |) |
| | County of | Klamath |)ss.) |
| This instrume | ent was acknowled | dged before me or | n this 2.5 , day of Sugust 2.5 , 20, |
| | Sppoloni | | |



Notary Public for Oregon My commission expires: 9/14/2025

Approved as to Form County Counsel

Accepted for County Road Right of Way for Madison Street, on behalf of Klamath County by the Klamath County Board of Commissioners

| Killym | Out of Office Today | Jan Royle |
|----------|---------------------|-----------------|
| Chair | Commissioner | Commissioner |
| <u> </u> | Date | 9/20/22 Date |

EXHIBIT 'A'

SHASTA WAY R/W APPOLONIO PROPERTY

A Tract of land, for Public Road Right of Way, situated in the NE 1/4, NE 1/4, Section 2, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County Oregon, being a portion of Lot 1, Block 1, Casa Manana, a duly recorded subdivision and being more particularly described as follows:

Commencing at the Northeast corner of said Lot 1; thence S89°12'00" W, 10.00' along the South right of way of Shasta Way, thence leaving said right of way S45°38'00" E, 14.10' to a point on the West right of way of Madison Street; thence N00°28'00" W, 10.00' along said right of way to the point of beginning, containing 50.00 square feet more or less. Bearings based on Casa Manana as filed in the office of the Klamath County Clerk.

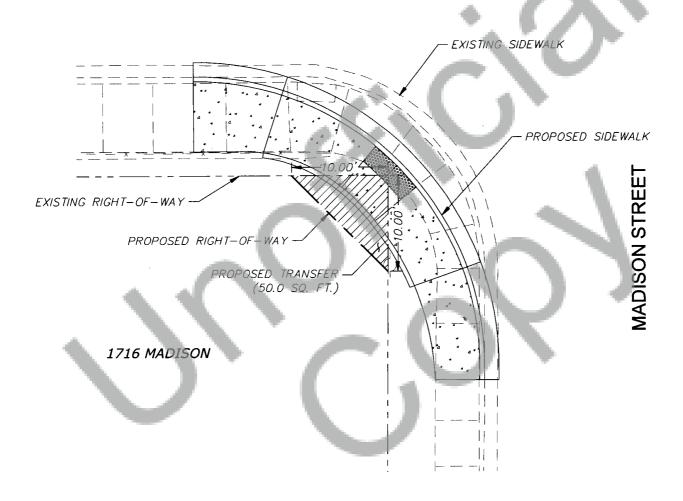
REGISTERED PROFESSIONAL LAND SURVEYOR

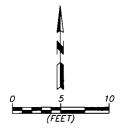
OREGON
JULY 12, 2005
RYAN M. HAMILTON
65472

EXPIRES: 06-30-23



SHASTA WAY





PROJECT: SHASTA WAY ADA IMPROVEMENTS

TITLE: 1716 MADISON STREET EXHIBIT

0 1/2"

THIS LINE IS 1/2 INCH AT FULL
SCALE , VERIFY AND ADJUST
SCALE AS NEEDED

REVISION NO. SKETCH 1 EX-A

DATE REF. DWG 11/24/21 N/A



| Agenda Category: Other | | Item No: | 1/2/ | | | | | |
|--|---------------------------------|--------------------|--------------------------|--|--|--|--|--|
| Date: September 20, 2022 | | | | | | | | |
| Originating Department: Public | Works | * (| \(\rangle\) | | | | | |
| Issue: In the matter of procuring ri | ght-of-way for the construction | on of ADA pedest | rian ramps and sidewalks | | | | | |
| at the intersection of Shasta Way and Madison Street. | | | | | | | | |
| Background: In 2021, the County | successfully replaced many r | on-compliant rai | mps along the Shasta Way | | | | | |
| Background: In 2021, the County successfully replaced many non-compliant ramps along the Shasta Way Corridor. Due to right-of-way (property line) constraints, some locations were unable to be completed during prior projects. This action will procure the land required to move forward with completing the projects. The settlement agreement in question was negotiated by the County, with a willing seller. | | | | | | | | |
| Recommended Motion: Board to approve and sign the Right-of-Way dedication of approximately 50.0 square feet of real property and authorize payment of \$500.00 to John Appolonio for acquisition costs. Fiscal impact is \$500.00 expenditure to the Public Works Operating Budget. | | | | | | | | |
| DONE AND DATED this $2^{\delta'}$ | day of <u>Septembe</u> | , 20 <i>2</i> | 2 | | | | | |
| Lee ma | Out of Office Toda | — / 7 — | aplula | | | | | |
| Chair | Vice-Chair | | issioner | | | | | |
| Approved 🗶 | Approved | Approv | • | | | | | |
| Denied □ | Denied □ | Denied | l 🗆 | | | | | |