



MTC 439267 AM

File: 9788004

Map: RW9788M

2022-013130

Klamath County, Oregon

11/08/2022 08:32:04 AM

Fee: \$92.00

PERMANENT EASEMENT

FAVELL MUSEUM, INC., an Oregon non-profit corporation, Grantor, for the true and actual consideration of **\$4,600.00**, 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 as **Parcels 1 and 2 on Exhibit "A" dated 12-15-2021**, attached hereto and by this reference made a part hereof.

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 3 on Exhibit "A" dated 12-15-2021**, 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 3, 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 #: 3809-032CA-1900

Property Address: 111 W Main Street
Klamath Falls, OR 97601

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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 5th day of October, 2022.

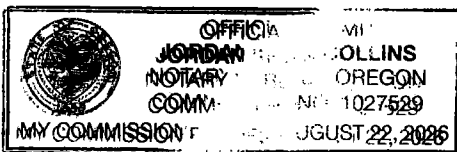
FAVELL MUSEUM, INC. an Oregon non-profit corporation

By [Signature]
President

By Judy Pearson
Secretary

STATE OF Oregon, County of Klamath

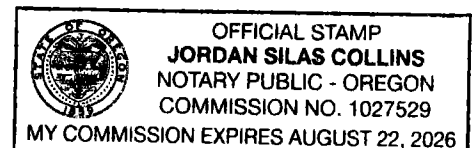
Dated October 5th, 2022. Personally appeared James Calvert and Judy Pearson, who, being sworn, stated that they are the President and Secretary of Favell Museum, Inc., an Oregon nonprofit corporation, and that this instrument was voluntarily signed on behalf of the corporation by authority of its Board of Directors. Before me:



[Signature]
Notary Public for the state of Oregon
My Commission expires 08/22/2026

Accepted on behalf of the Oregon Department of Transportation

[Signature]



the relocated Klamath Falls Lakeview Highway - Link River Bridge Section (OR39) at Engineer's center line Stations 11+82.00 and 12+51.00 and included in a strip of land 29.00 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 276 square feet, more or less, outside the existing right of way.

PARCEL 3 - Temporary Easement For Work Area (3 years or duration of project, whichever is sooner)

A parcel of land lying in the SW¼ of Section 32, Township 38 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Favell Museum, Inc., an Oregon nonprofit corporation, recorded December 30, 2003, in Volume M03 Page 93925, Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northwestern side of the center line of the relocated Klamath Falls Lakeview Highway - Link River Bridge Section (OR39), which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on the Northwestern Side of Center Line
11+60.00		11+86.00	18.00 feet in a straight line to 44.00 feet
11+86.00		12+20.00	44.00 feet in a straight line to 43.00 feet
12+20.00		12+36.00	51.00 feet
12+36.00		12+55.00	33.00 feet

This parcel of land contains 1,377 square feet, more or less, outside the existing right of way.

