

PERMANENT EASEMENT

JANET L. O'GRADY and DON L. TEMPLE, Trustees of the Temple and O'Grady 1995 Trust, dated 11/30/95, Grantor, for the true and actual consideration of **\$750.00**, 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 on **Exhibit "A" dated 02-11-2022**, attached hereto and by this reference made a part hereof.

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.

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.

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 #: 41S10E12BB-1900

Property Address: 107 E Front St.
Merrill, OR 97633

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 14 day of Sept, 2022.

TEMPLE AND O'GRADY 1995 TRUST, dated 11/30/95

Janet L. O'Grady
Janet L. O'Grady, Trustee
Don L. Temple
Don L. Temple, Trustee

STATE OF ^{Nevada}~~OREGON~~, County of Carson City

Dated September 14th, 2022. Personally appeared the above named Janet L. O'Grady and Don L. Temple, Trustees, and acknowledged the foregoing instrument to be their voluntary act. Before me:



[Signature]
Notary Public for ~~Oregon~~ Nevada
My Commission expires January 29, 2023

Accepted on behalf of the Oregon Department of Transportation

[Signature]

Permanent Easement For Highway Right of Way Purposes

A parcel of land lying in the NW¼ of Section 12, Township 41 South, Range 10 East, W.M., Klamath County, Oregon and being a portion of that property described in that Special Warranty Deed to Janet L. O'Grady and Don L. Temple as Trustees of the Temple and O'Grady 1995 Trust, Dated 11/30/95, recorded June 6, 2005, in Volume M05 Page 41944, Klamath County Official Records; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of the relocated Klamath Falls - Malin Highway (OR39), which center line is described as follows:

Beginning at Engineer's center line Station 108+00.00, said station being 1.23 feet South and 1408.40 feet West of the Southeast corner of Section 2, Township 41 South, Range 10 East, W.M., Klamath County, Oregon; thence North 89°56'59" East, 1408.40 feet; thence North 89°56'08" East, 1291.60 feet to Engineer's center line Station 135+00.00.

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

Station	to	Station	Width on the Southerly Side of Center Line
122+65.00		123+01.00	41.25 feet in a straight line to 40.52 feet

Bearings are based on the Oregon Coordinate Reference System, Bend - Klamath Falls Zone, NAD 83 (2011) epoch 2010.00.

This parcel of land contains 25 square feet, more or less, outside the existing right of way.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Andrew A. Reiter

OREGON
JULY 17, 1986
ANDREW A. REITER
2229

RENEWS: 12/31/2022