

PERMANENT EASEMENT

KLAMATH FALLS CENTER, LLC, an Oregon limited liability company, Grantor, for the true and actual consideration of **\$4,100.00**, 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 09-23-2021**, 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 #: 39S09E01DB-1300

Property Address: unknown

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 29 day of Sept, 2022

KLAMATH FALLS CENTER, LLC, an Oregon limited liability company

Cyprin
Member / Manager

Member / Manager

STATE OF Oregon, County of Jackson

Dated Sept 29, 2022. Personally appeared the above named C.A. Golpin and _____, Member(s) / Manager(s) of Klamath Falls Center, LLC, an Oregon limited liability

company, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Terry Speedling
Notary Public for State of Oregon
My Commission expires March 28, 2025

Accepted on behalf of the Oregon Department of Transportation

K + B

Permanent Easement for Highway Right of Way Purposes

A parcel of land lying in the SW¼ of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Klamath Falls Center, LLC, recorded March 27, 2002, in Volume M02, Page 17937, 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 Northeasterly side of the center line of the relocated Klamath Falls - Lakeview Highway (OR39), which center line is described as follows:

Beginning at Engineer's center line Station "S. 6TH" 24+00.00 P.O.T., said station being 1304.43 feet North and 1973.05 feet West of the Brass Rod in a Monument Box monumenting the Center one-quarter of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; thence South 55°50'25" East, 1765.50 feet; thence on a spiral curve left (the long chord of which bears South 59°31'15" East, 469.22 feet) 470.00 feet; thence on a 1219.06 foot radius curve left (the long chord of which bears South 72°54'28" East, 255.80 feet) 256.27 feet; thence on a spiral curve left (the long chord of which bears South 86°17'41" East, 469.22 feet) 470.00 feet to Engineer's center line Station "S. 6TH" 53+61.77 P.T. Back equals "S. 6TH" 53+70.60 P.O.T. Ahead; thence South 89°58'31" East, 2150.39 feet to Engineer's center line Station "S. 6TH" 75+20.99 Back equals "S. 6TH" 75+21.60 Ahead; thence North 89°44'04" East, 2984.00 feet; thence South 89°52'38" East, 2309.15 feet to Engineer's center line Station "S. 6TH" 128+14.75 Back equals "S. 6TH" 128+15.00 Ahead; thence South 89°51'00" East, 360.50 feet; thence on a spiral curve right (the long chord of which bears South 87°08'35" East, 499.55 feet) 500.00 feet; thence on a 1763.64 foot radius curve right (the long chord of which bears South 67°58'42" East, 838.38 feet) 846.49 feet; thence on a spiral curve right (the long chord of which bears South 48°48'48" East, 499.55 feet) 500.00 feet; thence South 46°06'23" East, 69.87 feet to Engineer's center line Station "S. 6TH" 150+91.86 Back equals 150+92.02 Ahead; thence South 46°06'23" East, 4093.12 feet to Engineer's center line Station "S. 6TH" 191+85.14.

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

Station	to	Station	Width on the Northeasterly Side of Center Line
"S. 6TH" 155+89.00		"S. 6TH" 156+49.00	79.00 feet
"S. 6TH" 156+49.00		"S. 6TH" 156+85.00	59.00 feet
"S. 6TH" 156+85.00		"S. 6TH" 156+96.00	74.00 feet
"S. 6TH" 156+96.00		"S. 6TH" 157+50.00	66.00 feet

EXHIBIT A - Page 2 of 2

File 9788056
Drawing RW9788M
09-23-2021

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

This parcel of land contains 861 square feet, more or less, outside the existing right of way.

