

2024-003835

Klamath County, Oregon



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05/15/2024 03:12:20 PM

Fee: NO FEE

AFTER RECORDING RETURN TO:

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

GRANTOR:

John A. Olson
3910 Rawhide Rd.
Rocklin, CA 95677

Laura Smith
7N Charbonne Dr.
St George, UT 84770

GRANTEE:

Klamath County
305 Main Street
Klamath Falls, OR 97601

RIGHT OF WAY DEDICATION

John A. Olson and Laura Smith Grantor, does hereby grant unto the County of Klamath, Grantee, hereinafter called the "County", a perpetual right-of-way for road and public utility purposes on, over, and under the following described property situated in Klamath County, Oregon:

- See attached Exhibit A Legal Description and;
- See attached Exhibit B Vicinity Map

All attached hereto and by this reference incorporated herein.

The true consideration of this conveyance is a Donation, the receipt of which is hereby acknowledged by GRANTOR.

The dedicated property shall only be used for the purpose of public road right of way for access and public 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.

Dated this 2nd day of April, 2024.

GRANTOR:

John A. Olson
John A. Olson

Dated this 11th day of April, 2024.

GRANTOR:

Laura Smith
Laura Smith

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Placer)

On April 2nd, 2024 before me, Donald Miller, Notary Public
(insert name and title of the officer)

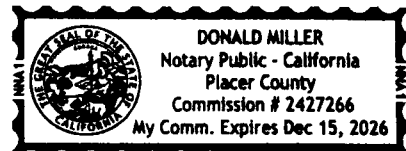
personally appeared John A. Olson,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)



Acknowledgment

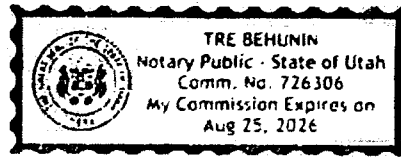
State of Utah)

County of ⁵WASHINGTON

On this 11 day of APRIL, in the year 2024, before me, TRE BEHUNIN a notary
date month year notary public name

public, personally appeared LAURA SMITH, proved on the basis of satisfactory
name of document signer
evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument, and acknowledged
(he/she/they) executed the same.

Witness my hand and official seal.



[Signature]
(notary signature)

(seal)

Approved as to Form

[Signature] 5/14/24
Klamath County Attorney Date

Accepted on behalf of Klamath County by the Klamath County Board of Commissioners

[Signature] [Signature]
Chair Commissioner

[Signature]
Commissioner

5/14/24
Date

5/14/24
Date

5/14/24
Date

Exhibit A

Old Fort Road Right-of-Way
Olson Property

A strip of land for right-of-way and public utility purposes, in the Southeast 1/4 of Section 28, Township 38 South, Range 09 East, Willamette Meridian, Klamath County Oregon, being a portion of the land described in Volume M93, page 6512 lying 30.00 feet from the as-constructed centerline of Old Fort Road and being more particularly described as follows:

Beginning at a 5/8" iron rod marking the Southwest Corner of the land described as Parcel 6 in Volume M93, page 6512, also lying on the North right-of-way of Old Fort Road; thence continuing along the South line of said deed record and said North right-of-way, South 38°05'00" West 84.62 feet to a 5/8" iron rod and the **true point of beginning**; thence leaving said South line and North right-of-way, 90.59 feet along a 312.00 foot radius curve to the right, the long chord of which bears South 62°23'44" West 90.28 feet to a 5/8" iron rod; thence South 70°42'50" West 34.17 feet to a 5/8" iron rod on said South line and North right-of-way; thence continuing along the South line of said deed record and said North right-of-way, North 75°30'00" East 91.49 feet; thence North 38°05'00" East 38.38 feet to the **true point of beginning**.

Containing 645.9 square feet.

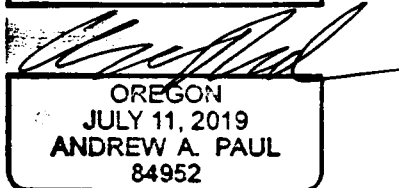
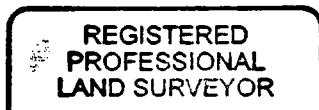
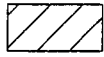


EXHIBIT B

LEGEND

- FOUND MONUMENT AS NOTED
- SET 5/8" IRON ROD WITH BLUE PLASTIC CAP STAMPED "84952 PLS" OR AS NOTED OTHERWISE
- () DATA OF RECORD PER C.S. 2939
- ()A DATA OF RECORD PER VOL M93, PG 6512



- PROPERTY DEEDED TO KLAMATH COUNTY FOR RIGHT-OF-WAY PURPOSES 645.9 SF.

REFERENCE SURVEYS: TRACT 1539 GEO HEIGHTS, C.S. 2939

POINT OF BEGINNING
FD 5/8" IR
(SW PARCEL 6)A
HELD FOR EXISTING R/W
PER C.S. 2939

VOL M93, PG 6512

TRUE POINT OF BEGINNING

$\Delta = 16^\circ 38' 12''$
 $R = 312.00'$
 $L = 90.59'$

LC = $S62^\circ 23' 44'' W 90.28'$

(PARCEL 3)A

(PARCEL 2)A

$S70^\circ 42' 50'' W 34.17'$

$N75^\circ 30' 00'' E 91.49'$

AS CONSTRUCTED CENTERLINE
OLD FORT ROAD
ON 12/04/2023

$S38^\circ 05' 00'' W 147.82'$
($S38^\circ 5' W 148.0'$)

84.62'

24.82'

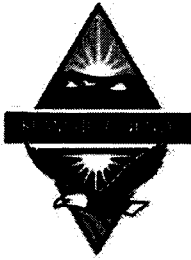
$N43^\circ 00'$

38.38'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 11, 2019
ANDREW A. PAUL
84952

EXPIRES 12-31-2024



BOARD OF COMMISSIONERS Agenda Item Summary

Agenda Category: Other

Item No:

14.

Date: May 14, 2024

Originating Department: Public Works

Issue: In the matter of a right-of-way dedication for road and public utilities.

Background: A portion of Old Fort Road was found to be encroaching onto private property during the course of a survey project. Grantors would like to grant a perpetual right-of way for road and public utility purposes as described in Exhibit A and Exhibit B, attached.

Recommended Motion: Board to approve and sign the Right-of-Way dedication for road and public utilities along Old Fort Road. Fiscal impact none.

DONE AND DATED this 14th day of May, 2024.

Chair

Approved ☒

Denied ☐

Vice-Chair

Approved ☒

Denied ☐

Commissioner

Approved ☒

Denied ☐