2006 5 0494 FILE COPY

2006-5060494

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RECEIVED

AUG 24 2006

UMATILLA COUNTY RECORDS

EASEMENT

James M. Burns and Melva J. Burns, **Grantors**, convey, dedicate, and grant to Umatilla County, a political subdivision of the State of Oregon, **Grantee**, a non-exclusive easement for public right-of-way purposes, including ingress, egress, and utility installations and maintenance, over and across the following described property:

A parcel of land located in the Southwest ¼ of Section 26, Township 4 North, Range 36 East of the Willamette Meridian, being more particularly described as follows:

Beginning at a point on the easterly right-of-way line of County Road No. 637 (Hodgson Road) which bears S07°04'10"E, 353.39 feet from a 2-inch aluminum cap marking the West 1/4 Corner of Section 26; thence 148.79 feet along a 226.64-foot radius curve left (the long chord bears S19°48'57"E, 146.13 feet); thence S38°37'27"E, 122.98 feet; thence 196.08 feet along a 1142.74-foot radius curve left (the long chord bears S43°32'22"E, 195.84 feet); thence S48°27'14"E, 15.11 feet; thence 208.80 feet along a 1035.97-foot radius curve left (the long chord bears S54°13'44"E, 208.44 feet); thence S60°00'09"E, 8.00 feet; thence 130.51 feet along a 123.84-foot radius curve right (the long chord bears S29°48'45"E, 124.55 feet) to a point on the northerly right-of-way line of Oregon State Highway No. 204 which bears N16°34'19"E, 1727.69 feet from a 3-inch brass cap marking the Southwest Corner of Section 26; thence N86°00'28"W, 50.17 feet along the northerly State Highway No. 204 right-of-way line; thence 74.65 feet along a 73.84-foot radius curve left (the long chord bears N31°02'25"W, 71.51 feet); thence N60°00'09"W, 8.00 feet; thence 218.87 feet along a 1085.97-foot radius curve right (the long chord bears N54°13'44"W, 218.50 feet); thence N48°27'14"W, 15.12 feet; thence 204.66 feet along a 1192.74-foot radius curve right (the long chord bears N43°32'22"W, 204.41 feet); thence N38°37'27"W, 122.98 feet to a point on the easterly right-of-way line of County Road No. 637 (Hodgson Road); thence N01°00'29"W, 158.63 feet to the point of beginning. Bearings and distances are NAD '83('91) grid.

The above described parcel is located in Umatilla County, Oregon, and contains 0.83 acre.

Grantors request that the provisions of ORS 307.200 regarding the taxation of public ways be waived and that the above described parcel of land remain on the tax rolls.

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Original to: Commissioner's Journal Copy to: Doug Olsen Umatilla County Counsel



The true consideration of this conveyance is the mutual benefit of both parties. No cash is involved.

BEFORE SIGNING THIS INSTRUMENT, THE **GRANTORS** SHOULD INQUIRE ABOUT THEIR RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE ACCEPTING THIS INSTRUMENT, THE **GRANTEE** SHOULD CHECK WITH THE COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 1 La day of August, 2006.

James M. Burns, Grantor

Melva J. Burns (Grantor

State of Oregon)) ss County of Umatilla)

August 16, 2006

Personally appeared before me the within named James M. Burns and Melva J. Burns, and acknowledged the foregoing to be their voluntary act and deed.

OFFICIAL SEAL **KAREN A NEVINS** NOTARY PUBLIC - OREGON COMMISSION NO. 384265 MY COMMISSION EXPIRES OCTOBER 8, 2008

Notary Public for Oregon

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EASEMENT ACCEPTED ON BEHALF OF THE PUBLIC

UMATILLA COUNTY BOARD OF COMMISSIONERS

Dennis D. Doherty, Chairman

Emile M. Holeman, Commissioner

William S. Hansell, Commissioner



State of Oregon)) ss County of Umatilla)

August 23, 2006

Personally appeared before me the within named Dennis D. Doherty, Emile M. Holeman, and William S. Hansell, and acknowledged the foregoing to be their voluntary act and deed.



ATTEST: Office of County Records

By:

Records Officer



Notary Public for Oregon



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State of Oregon County of Umatilla

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This instrument was received and recorded on

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08-24-05 at 9:30

in the record of instrument code type DE-EAS

Instrument Number 2005-5050494 Fee 0.00

Office of County Records

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