

2003 4540058



2003-4540058 1 of 4

State of Oregon)
County of Umatilla)

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This instrument was received
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After recording, please return to:

Umatilla County Commissioners
c/o Douglas Olsen, Counsel
216 S.E. 4th Street
Pendleton, Oregon 97801

Instrument Number 2003-4540058
Fee 0.00

Office of County Records

Records Officer

RECEIVED

DEC 16 2003

UMATILLA COUNTY
RECORDS

PERMANENT EASEMENT FOR ROAD RIGHT OF WAY

KNOW ALL PERSONS BY THESE PRESENTS that we, the undersigned, **Robert A. Millar and Pauline L. Millar**, Grantors, for good and valuable consideration of \$1000, receipt of which is hereby acknowledged, do grant, bargain, sell and convey to **UMATILLA COUNTY**, a political subdivision of the State of Oregon, Grantee, its successors, assigns, and permittees, a permanent easement to construct, reconstruct, repair, and maintain a public road and highway, and its appurtenances and facilities, including utility services lines and facilities, upon, over and across the lands of the undersigned, situated in the County of Umatilla, State of Oregon, consisting of certain property along County Road (County Rd.#517), adjacent to the County right of way, and more particularly described as follows:

See Exhibit A attached

The undersigned covenant that they are the owners of the above-described lands and that said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

Subject to all prior easements and encumbrances of Record.

Grantor agrees the consideration set out in this document is just compensation for the property, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of the property and the construction of improvement of the public way, excepting that the consideration does not include any damages arising from any negligence of Grantee.

(SIGNATURE PAGE FOLLOWS)

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

EXHIBIT A

A portion of land in the southwest quarter of Section 34, Township 6 North, Range 35 East, Willamette Meridian, Umatilla County, Oregon abutting upon and lying southerly of that land conveyed to Umatilla County, a political subdivision of the State of Oregon, by the document recorded July 15, 2003 as instrument Number 2003-4420288 of the Umatilla County Deed Records, said portion of land being more particularly described as follows:

Commencing at a point which lies $S0^{\circ}00'00''E$ a distance of 463.95 feet more or less from the west quarter corner of said Section 34, said point lying 4 feet southerly when measured at right angles to the southerly right of way line of County Road (County Road No. 517), thence $S59^{\circ}00'00''E$, parallel with and 4 feet southerly of said southerly right of way line a distance of 1053.4 feet more or less to a point on the west line of that tract of land conveyed to Malcolm Millar and Janet Millar by the Memorandum of Land Sale Contract between Robert A. Millar and Pauline L. Millar, sellers, and Malcolm Millar and Janet Millar, purchasers, recorded in Reel 120 at Page 1528 of the deed records of said Umatilla County, said point being the True Point of Beginning for this description:

Thence continuing $S59^{\circ}00'00''E$ a distance of 50.00 feet; thence south parallel to the West line of said Millar tract, 1.17 feet; thence $N59^{\circ}00'00''W$ a distance of 50.00 feet to a point on the West line of said Millar Tract; thence along said West line 1.17 feet to the Point of Beginning.

Containing 50 square feet more or less.