

Oregon Contract  
No. 1861

File No. 38200

Deed No. 26528-W

BARGAIN AND SALE DEED

284787

KNOW ALL MEN BY THESE PRESENTS, that Northern Pacific Railway Company, a Wisconsin corporation, Grantor, for and in consideration of the sum of \$1,850.00 (ONE THOUSAND EIGHT HUNDRED FIFTY AND No/100 DOLLARS) and other valuable consideration by it received, has bargained and sold and by these presents does bargain, sell and convey unto State of Oregon, by and through its State Highway Commission, Grantee, the following described premises, to wit:

PARCEL NO. 1

A parcel of land lying in Section 27, Township 4 North, Range 27 East, W.M., Umatilla County, Oregon; the said parcel being that portion of said Section 27 included in a strip of land variable in width, lying on the Northerly side of the center line of the Eastbound lane of the Old Oregon Trail Highway as said highway has been relocated, which Eastbound lane center line is described as follows:

Beginning at Engineer's center line Station "EB" 760+00, said Station being 9197.57 feet North and 688.60 feet West of the Southwest corner of Section 34, Township 4 North, Range 27 East, W.M.; thence South 77° 06' 54" East, 7000 feet to Engineer's Station "EB" 830+00.

The widths in feet of the strip of land above referred to are as follows:

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Northerly Side of Center Line</u>
"EB" 760+00		"EB" 790+00	210
"EB" 790+00		"EB" 795+00	210 taper to 300
"EB" 795+00		"EB" 799+00	300 taper to 520
"EB" 799+00		"EB" 806+00	520 taper to 290
"EB" 806+00		"EB" 808+00	290 taper to 265
"EB" 808+00		"EB" 830+00	265

EXCEPT therefrom that property described in those deeds to the State of Oregon, by and through its State Highway Commission, recorded in Book 160, Page 629, Book 160, Page 148, and in Book 160, Page 398 of Umatilla County Deed Records.

(Bearings used herein are based upon the Oregon Co-ordinate System, North Zone.)

The parcel of land to which this description applies contains 19.7 acres, more or less.

PARCEL NO. 2

A parcel of land lying in the NW<sup>1</sup>/<sub>4</sub> of Section 27, Township 4 North, Range 27 East, W.M., Umatilla County, Oregon; the said parcel being that portion of said NW<sup>1</sup>/<sub>4</sub> included in a strip of land variable in width, lying on the Southerly side of the center line of the Eastbound lane of the Old Oregon Trail Highway as said highway has been relocated, which Eastbound lane center line is described in Parcel No. 1.

The widths in feet of the strip of land above referred to are as follows:

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Southerly Side of Center Line</u>
"EB" 760+00		"EB" 787+00	125
"EB" 787+00		"EB" 792+00	125 taper to 190
"EB" 792+00		"EB" 797+50	190 taper to 435

EXCEPT therefrom that property described in those deeds to the State of Oregon, by and through its State Highway Commission, recorded in Book 265, Page 274; Book 160, Page 629, and in Book 160, Page 148 all of Umatilla County Records of Deeds.

(Bearings used herein are based upon the Oregon Co-ordinate System, North Zone.)

The parcel of land to which this description applies contains 2.1 acres, more or less.

PARCEL NO. 3

A parcel of land lying in the NE $\frac{1}{4}$  of Section 27, Township 4 North, Range 27 East, W.M., Umatilla County, Oregon; the said parcel being bounded on the Northerly side by a line parallel with and 200 feet Southerly of the main track center line of the O.W.R.R. & N. Co., bounded on the Southerly side by Parcel No. 1, bounded on the Easterly side by that tract of land described in that deed to the State of Oregon, by and through its State Highway Commission, recorded in Book 160, Page 398 of Umatilla County Records of Deeds and included in a strip of land 160 feet in width, 80 feet on each side of the following described center line:

Beginning at Engineer's center line Station "E" 85+33.74, which Station equals Station "UOD" 6+97.19 on the center line of the existing Umatilla Ordnance Depot access road, said Station being 9702.39 feet North and 3558.23 feet East of the Southwest corner of Section 34, Township 4 North, Range 27 East, W.M.; thence on a spiral curve right (the long chord of which bears South 1° 14' 36" West) 200 feet; thence on a 954.93 foot radius curve right (the long chord of which bears South 15° 18' 21" West) 335.42 feet; thence on a spiral curve right (the long chord of which bears South 29° 22' 06" West) 200 feet; thence South 31° 22' 06" West, 49.89 feet; thence on a spiral curve left (the long chord of which bears South 29° 22' 06" West) 200 feet; thence on a 954.93 foot radius curve left (the long chord of which bears South 22° 07' 36" West) 108.06 feet; thence on a spiral curve left (the long chord of which bears South 14° 53' 06" West) 200 feet; thence South 12° 53' 06" West) 172.89 feet to Engineer's Station "E" 100+00 which Station equals Station "EB" 799+00 on the center line of the Eastbound lane of the relocated Old Oregon Trail Highway which Eastbound lane center line is described in Parcel No. 1.

(Bearings used herein are based upon the Oregon Co-ordinate System, North Zone.)

The parcel of land to which this description applies contains 1.6 acres, more or less.

It is understood and agreed that all mineral, coal, oil, ores and gases below the surface of the land above-described are hereby reserved unto the Grantor, its successors and assigns, excepting, however, that in the exploration, development, excavations, mining or removing of same, the surface of said land shall not be occupied or used, the exercise of said rights shall not injure or damage in any manner the highway or highways to be built thereon, increase the cost of maintenance thereof, or interfere with the primary use of said land and rights of way by the Grantee, and its assigns, for road, street, highway or other purposes, or franchises granted across, along or beneath the surface of said highways, nor shall the Grantor, its successors or assigns, do any exploration, development, excavation or mining beneath the surface of the land hereinabove described within a vertical depth of 500 feet until the Grantor, its successors or assigns, has such plan for exploration, development, excavation or mining approved by the Oregon State Highway Commission, its successors or assigns, as to whether such plan will be injurious to the primary use of the surface.

As a part of the consideration hereinabove stated, there is also bargained, sold, conveyed and relinquished to the Grantee all existing, future or potential common law or statutory abutter's easements of access between the right of way of the public way identified as the relocated Old Oregon Trail Highway, including the legs of the Ordinance Interchange and all of Grantor's real property in said Section 27, remaining after the conveyance herein made, also between said remaining property and the right of way hereinabove described in Parcel No. 3; except, however, Grantor, its successors and assigns, shall have, upon obtaining from Grantee herein a proper road approach permit pursuant to applicable statutes and regulations, the following:

Rights of access to that portion of the roadway to be constructed by Grantee on right of way hereinabove described in Parcel No. 3 lying Northerly of Engineer's Station "E" 92+00 of said roadway.

Rights of access to the public frontage road to be constructed by Grantee on the Southerly side of the relocated Old Oregon Trail Highway.

TO HAVE AND TO HOLD the above described premises with their appurtenances, in fee simple unto the said State of Oregon, by and through its State Highway Commission, its successors and assigns forever.

As a further part of the consideration hereinabove stated, there is also hereby granted unto the State of Oregon, by and through its State Highway Commission, a permanent easement for an access road over and across the following described premises, to wit:

PARCEL NO. 4

A parcel of land lying in the NE $\frac{1}{4}$  of Section 27, Township 4 North, Range 27 East, W.M., Umatilla County, Oregon; the said parcel being bounded on the Northerly side by a line which is parallel to and 200 feet Southerly of the main track center line of the O.W.R.R. & N. Co., bounded on the Easterly side by that property described in that deed to the State of Oregon, by and through its State Highway Commission, recorded in Book 160, Page 398 of Umatilla County Deed Records, bounded on the Westerly side by a line parallel to and 60 feet Westerly of the Westerly line of said State of Oregon property and bounded on the Southerly side by Parcel No. 3.

The parcel of land to which this description applies contains 0.35 acre.

PARCEL NO. 5

A parcel of land lying in the N $\frac{1}{2}$  of Section 27, Township 4 North, Range 27 East, W.M., Umatilla County, Oregon; the said parcel being a strip of land 60 feet in width lying between lines which are parallel with and 200 feet Southerly and 260 feet Southerly of the main track center line of the O.W.R.R. & N. Co., and extending from the West line of said Section 27 to the West line of Parcel No. 4.

The parcel of land to which this description applies contains 4.94 acres.

TO HAVE AND TO HOLD the said right, license and easement hereinabove set forth unto the said State of Oregon, by and through its State Highway Commission, its successors and assigns forever.

It is expressly intended that the covenants, burdens, restrictions and reservations contained herein shall run with the land and shall forever bind the Grantor, its successors and assigns.

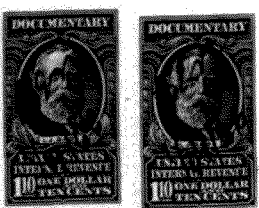
IN WITNESS WHEREOF, Northern Pacific Railway Company, a Wisconsin corporation has caused its lawful corporate seal to be hereunto affixed and its name hereto subscribed by its duly authorized officers this 14th day of January, 1966.

NORTHERN PACIFIC RAILWAY COMPANY,  
a Wisconsin corporation

By [Signature]  
Vice President  
By [Signature]  
Assistant Secretary



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STATE OF ~~OREGON~~ MINNESOTA }  
County of RAMSEY } ss

On this 14th day of January, 1966, before me, a Notary Public in and for said County and State appeared E. B. STANTON and Richard A. Beulke, to me personally known, who, being duly sworn, did say that he, the said E. B. STANTON, is the President, and he, the said Richard A. Beulke, is the **ASSISTANT** Secretary, of Northern Pacific Railway Company, a Wisconsin corporation, the within named corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that the said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said E. B. STANTON and Richard A. Beulke acknowledges the said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the day and year last above written.

J. W. Thayer  
Notary Public for ~~Oregon~~ MINNESOTA  
My Commission expires: Nov. 17, 1971

J. W. THAYER,  
Notary Public, Ramsey County, Minn.  
My Commission Expires Nov. 17, 1971

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tk/da

Filed for record MAR - 9, 1966 at 1.50 P M.  
JACK FOLSOM Recorder of Conveyances