

2004 4550407



2004-4550407 1 of 4

State of Oregon)
County of Umatilla)

This instrument was received
and recorded on

01-14-04 at 12:42

in the record of instrument
code type DE-EAS

After recording, please return to:

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

RECEIVED

JAN 14 2004

UMATILLA COUNTY
RECORDS

Instrument Number 2004-4550407
Fee 0.00

Office of County Records

Records Officer

PERMANENT EASEMENT FOR ROAD RIGHT OF WAY

KNOW ALL PERSONS BY THESE PRESENTS that we, the undersigned, **City of Milton-Freewater**, Grantors, for good and valuable consideration of \$400, 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 Seven Hills Road (County Rd.#773), 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



IN WITNESS WHEREOF, the undersigned have set their hands this 5th day of ~~December~~, ^{January}
~~2003~~. 2004

City of Milton-Freewater

BY: Delphine Palmer
Delphine Palmer
City Manager

State of Oregon)
) ss
County of Umatilla)

Jan 5 2004
~~December~~ __, ~~2003~~.

Personally appeared before me the within named Delphine Palmer for City of Milton-Freewater, and acknowledged the foregoing to be their voluntary act and deed.

Linda M. Hall
Notary Public for Oregon

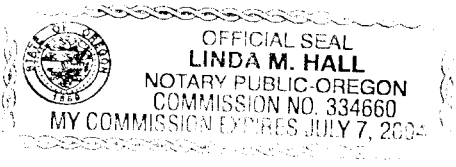


EXHIBIT A

A portion of land in the Northwest Quarter of the Northwest Quarter of Section 6, Township 5 North, Range 35 East, Willamette Meridian, Umatilla County, Oregon, more particularly described as follows:

Commencing at the Northwest corner of Said Section 6; thence along the North line of said Section 6, S89°41'22"E a distance of 1048.23 feet; thence at right angles southerly to a point on the Southerly right of way line of Seven Hills Road (County Road 773) as said road was legalized by County Commissioners Order Number RD2003-11 as recorded in the instrument recorded March 19, 2003 as Instrument Number 2003-4320588 of the Records of said Umatilla County S00°18'38"W a distance of 30.50 feet said point being the True Point of Beginning for this description;

Thence along said Southerly right of way line, S89°06'56"E a distance of 5.00 feet; thence S00°18'38"W a distance of 1.50 feet thence N89°52'50"W a distance of 5.00 feet; thence N00°18'38"E a distance of 1.56 feet to the True Point of Beginning.

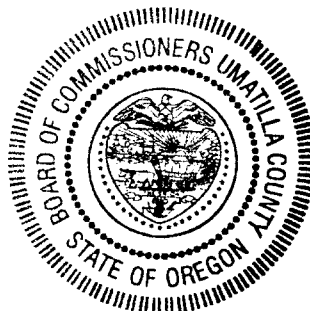


ACCEPTED BY UMATILLA COUNTY
by its Board of Commissioners

William S. Hansell
William S. Hansell, Chair

Dennis D. Doherty
Dennis D. Doherty, Commissioner

Emile M. Holeman
Emile M. Holeman, Commissioner



State of Oregon)
County of Umatilla) ss

December 13, 2004, 2003.

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



Marcia Wells
Notary Public for Oregon

ATTEST:
Office of County Records

Deann Humphreys
Records Officer

