

DEPARTMENT OF THE ARMY
EASEMENT AND RELINQUISHMENT OF ACCESS RIGHTS FOR A SECTION OF
THE NATIONAL SYSTEM OF INTERSTATES AND DEFENSE HIGHWAYS
UMATILLA DEPOT ACTIVITY, HERMISTON, OREGON

R 110 PAGE 996

No. DACA67-2-82-137

The United States of America, acting by and through the SECRETARY OF THE ARMY, under and by virtue of the authority of Title 10, U.S. Code, Section 2668, having found that the granting of this easement will not be against the public interest, and in furtherance of Title 23, U.S. Code, Section 107(d), hereby grants to the STATE OF OREGON, Department of Transportation, Highway Division, hereinafter designated as the grantee, an easement for a right-of-way for a controlled-access highway, as a part of the National System of Interstate and Defense Highways, on, over, across, in and upon lands of the United States which are a portion of the Umatilla Depot Activity, Hermiston, Oregon, as shown on the map marked Exhibit "A," and more particularly described on Exhibit "B" both of which exhibits are attached hereto and made a part hereof, together with all abutters' existing, future, or potential rights of access to, from and between the right-of-way of the public way known as Interstate Highway No. I-82 and the remaining lands of said reservation, except for such rights as may be hereinafter specifically reserved in this instrument.

THIS EASEMENT is granted subject to the following provisions and conditions:

1. That the grantee shall, at all times, maintain said highway in good condition and shall promptly make all repairs thereto needed to preserve a smooth-surface highway.
2. That any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises shall be promptly repaired, replaced or relocated by the grantee, to the satisfaction of the local representative of the DEPARTMENT OF THE ARMY, and in accordance with plans and specifications approved, in advance, by said officer, or, in lieu of such repair, replacement or relocation, the grantee shall, if so required by said representative, pay to the United States, money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to, or destruction of, United States property.
3. a. That the United States reserves the right to construct, from time to time, grade separation crossing structures or pedestrian crossing structures over or under the controlled-access highway, at such points as it may deem necessary; provided, that such structures shall be constructed in accordance with standards for the National System of Interstate and Defense Highways, approved by the Department of Transportation, Bureau of Public Roads. The United States also reserves the right to cross over and/or under the right-of-way hereby granted with utility lines and related facilities, provided, however, that such rights shall be exercised in accordance with regulations issued by the Secretary of Transportation and policies adopted by the Federal Highway Administrator.

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b. That, during any emergency declared by the President or Congress of the United States, the United States shall have the right to enter and exit directly to and from said right-of-way from the abutting Government-owned land, including the right to construct temporary direct entrances and exits, crossings at grade, or substandard grade-separation structures, including acceleration and deceleration lanes; provided, that all such temporary facilities shall, subject to availability of appropriations, be removed within a reasonable time after official termination of the emergency.

4. That it is to be understood that this instrument is effective only insofar as the rights of the United States in the property over which the said highway is to be extended are concerned, and that the grantee shall obtain such permission as may be necessary because of any other existing rights.

5. That all, or any part, of such right-of-way herein granted may be terminated by the Secretary of the Army for failure to comply with any or all of the terms or conditions of this grant, or for nonuse for a two-year period, or abandonment of rights granted herein.

6. That termination shall be by written notice given to the grantee, or its successors or assigns. The termination shall be effective as of the date of such notice.

7. That no areas or facilities such as rest stops, weigh stations, etc., which will encourage or require motorists to stop in the vicinity of the installation shall be constructed.


8. That in order to maintain the security of the installation, boundary fences and patrol roads shall be moved before the start of construction by the grantee, and that the costs of relocating such boundary fences and patrol roads, as well as electrical transmission lines, will be borne by the grantee.

9. That the State of Oregon shall provide a hard-surfaced road connection from one of the existing gates on the eastern boundary fence of the Umatilla Depot Activity to a road providing access to the City of Hermiston.

10. That in connection with this grant of easement, and as authorized by the Act of Congress approved 23 October 1962 (40 U.S.C. 319), the Secretary of the Army, by separate instrument, is relinquishing such jurisdiction as he deems desirable over the easement area, to take effect upon acceptance thereof by the State of Oregon, in such manner as its laws may provide.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF, I have hereunto set my hand by authority of the Secretary of the Army this 16th day of January, 1984.



GEORGE GREGORY MOEN
Chief, Real Estate Division
Seattle District, Corps of Engineers

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ACKNOWLEDGMENT

STATE OF WASHINGTON)
)
COUNTY OF KING)

BEFORE ME, VIVIAN L. KAY, Notary Public in and for said State of Washington, on this 16th day of JANUARY, 1984, personally appeared GEORGE GREGORY MOEN to me known to be the identical person who subscribed his name to the foregoing instrument and acknowledged to me that he executed the same by authority of the Secretary of the Army as the free and voluntary act and deed of the United States of America for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Vivian L. Kay
Notary Public
State of Washington
County of King

My Commission Expires:
October 10, 1986



Parcel 1

A parcel of land lying in the W $\frac{1}{2}$ of Sections 13 and 24 and in the NW $\frac{1}{4}$ of Section 25, Township 4 North, Range 27 East, W.M., Umatilla County, Oregon; the said parcel being that portion of said subdivisions lying northerly of the right of way of the Oregon-Washington Railroad and Navigation Company's main line and easterly of the following described line:

Beginning at a point opposite and 85 feet westerly of Engineer's Station "SB" 507+50 on the centerline of the southbound lane of the McNary Highway; thence southerly parallel with said centerline to a point opposite Engineer's Station "SB" 612+00; thence southwesterly in a straight line to a point opposite and 300 feet westerly of Engineer's Station "SB" 618+000 on said centerline; thence southwesterly in a straight line to a point opposite and 550 feet westerly of Engineer's Station "SB" 622+00 on said centerline; thence southeasterly in a straight line to a point opposite and 300 feet westerly of Engineer's Station "SB" 627+00 on said centerline; thence southerly in a straight line to a point opposite and 230 feet westerly of Engineer's Station "SB" 629+00 on said centerline; thence southwesterly in a straight line to a point opposite and 230 feet westerly of Engineer's Station "SE" 631+00 on said centerline; thence southwesterly in a straight line to a point opposite and 250 feet westerly of Engineer's Station "SB" 634+00 on said centerline; thence southeasterly at right angles to said centerline 125 feet; thence southwesterly in a straight line to a point opposite and 130 feet northwesterly of Engineer's Station "SB" 636+34.01 on said centerline; thence southwesterly in a straight line to a point opposite and 125 feet northwesterly of Engineer's Station "SB" 641+34.01 on said centerline; thence southwesterly parallel with said centerline to a point opposite Engineer's Station "SB" 649+00.

The centerline referred to herein is described as follows:

Beginning at Engineer's centerline Station "SB" 475+00, said station being 395.90 feet north and 1116.15 feet east of the northwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 4 North, Range 27 East, W.M.; thence South 41° 18' West 1638.34 feet; thence on a spiral curve left (the long chord of which bears South 40° 38' West 399.98 feet) 400 feet; thence on a 5729.58 foot radius curve left (the long chord of which bears South 20° 16' 30" West 3735.46 feet) 3805 feet; thence on a spiral curve left (the long chord of which bears South 0° 05' East 399.98 feet) 400 feet; thence South 0° 45' East 8324 feet; thence on a spiral curve right (the long chord of which bears South 1° 45' West 499.62 feet) 500 feet; thence on a 1909.86 foot radius curve right (the long chord of which bears South 22° 45' West 1052.86 feet) 1066.67 feet; thence on a spiral curve right (the long chord of which bears South 43° 45' West 499.62 feet) 500 feet; thence South 46° 15' West 1315.99 feet to Engineer's centerline Station "SB" 654+50.

EXCEPT therefrom that portion of said NW $\frac{1}{4}$ lying northerly of the right of way of the Oregon-Washington Railroad and Navigation Company's main line and southeasterly of the following described line:

EXHIBIT "B"

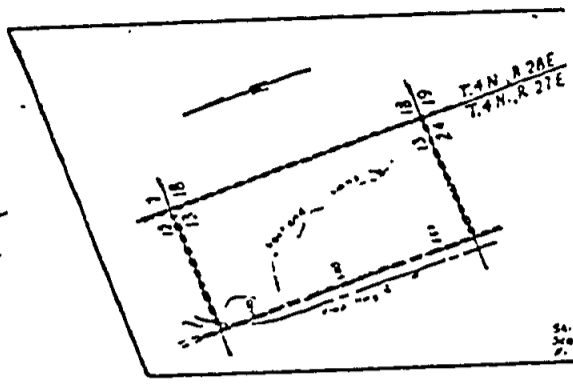
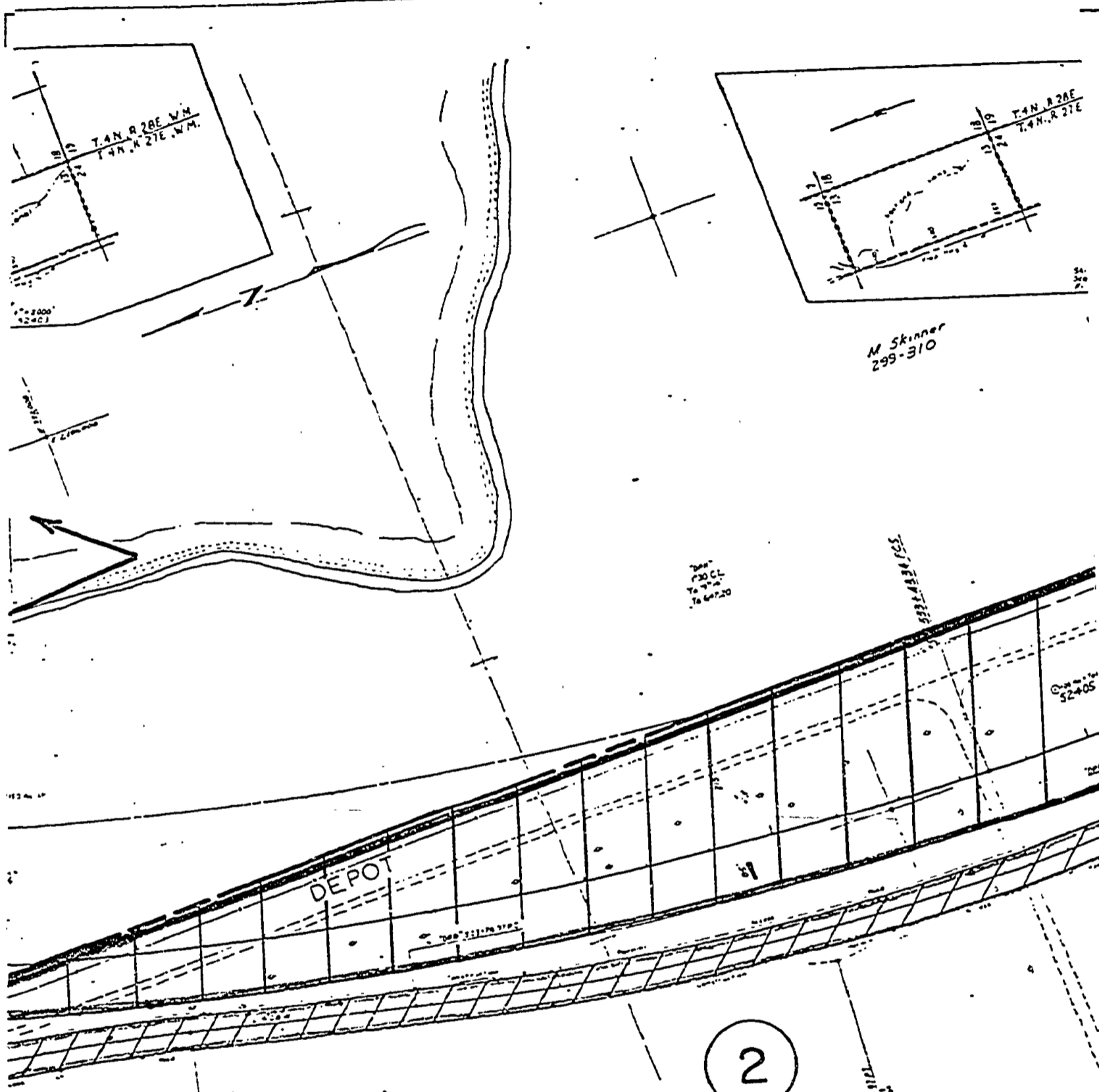
R 110 PAGE 1000

Beginning at a point opposite and 650 feet easterly of Engineer's Station "SB" 620+67.34 on said centerline; thence southwesterly in a straight line to a point opposite and 390 feet southeasterly of Engineer's Station "SB" 625+67.34 on said centerline; thence southwesterly in a straight line to a point opposite and 340 feet southeasterly of Engineer's Station "SB" 635+00 on said centerline; thence southwesterly in a straight line to a point opposite and 440 feet southeasterly of Engineer's station "SB" 643+00 on said centerline.

Bearings are based upon the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 108 acres, more or less.

Parcel 1 access Completely Restricted (to Highway). However, access will be allowed to the McNary Highway via the "DE" line.

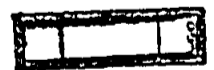


M Skinner
299-310

Dist
730 CL
To 4720
To 64720

DEPOT

2



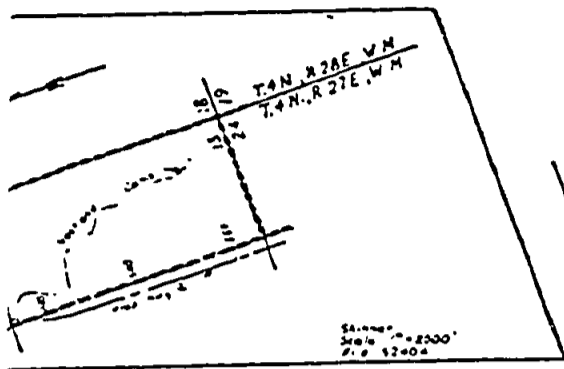
EASEMENT



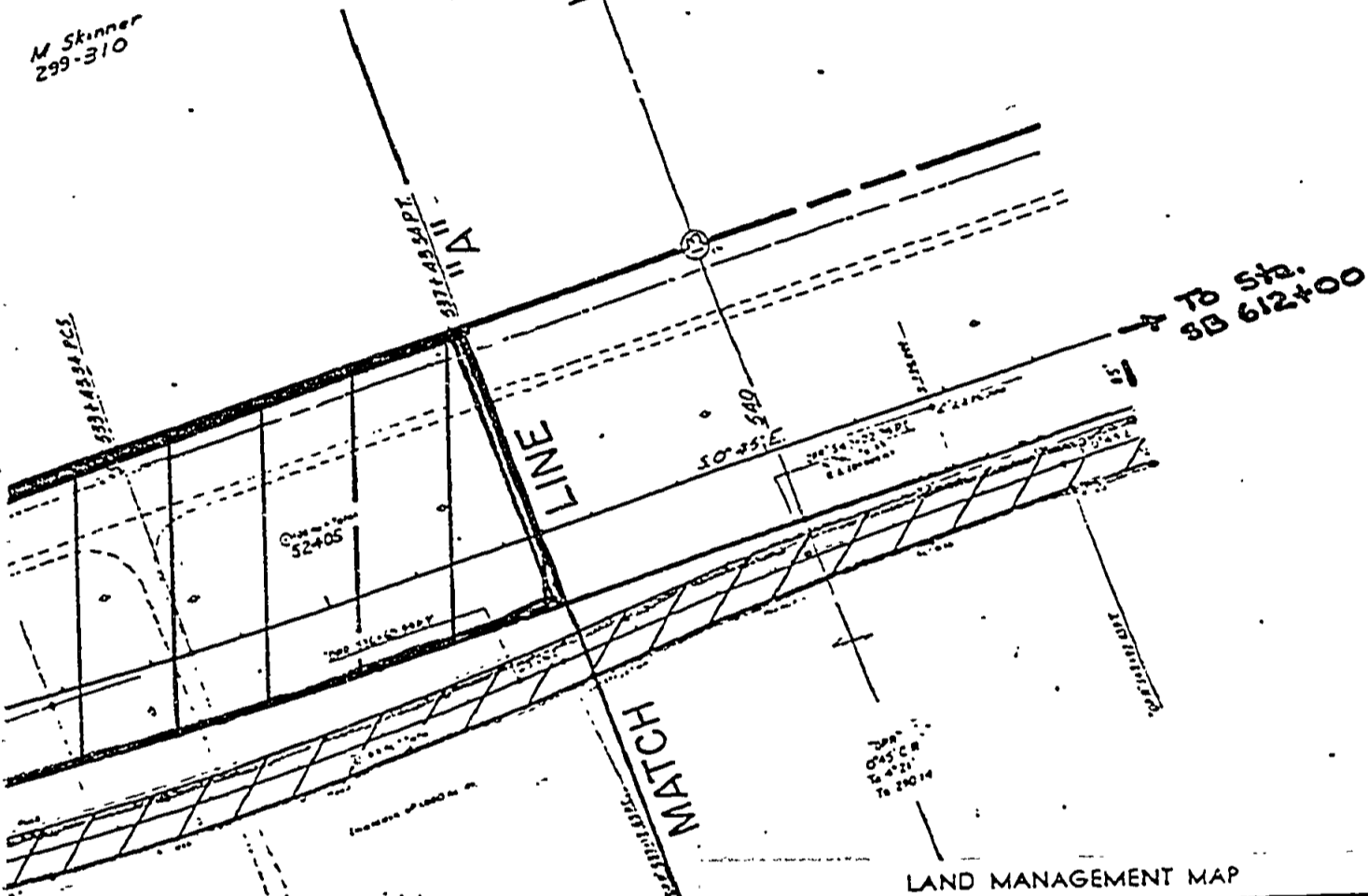
LICENSE

SHEET 1

ENCIRCLED TRACT NOS. REFER TO



M Skinner
299-310



LAND MANAGEMENT MAP

DEPARTMENT OF THE ARMY
OFFICE OF THE SEATTLE DISTRICT ENGINEER
NORTH PACIFIC DIVISION

REAL ESTATE

UMATILLA DEPOT ACTIVITY
EASEMENT NO. DACA67-2-82-137
TO
STATE OF OREGON
DEPARTMENT OF TRANSPORTATION

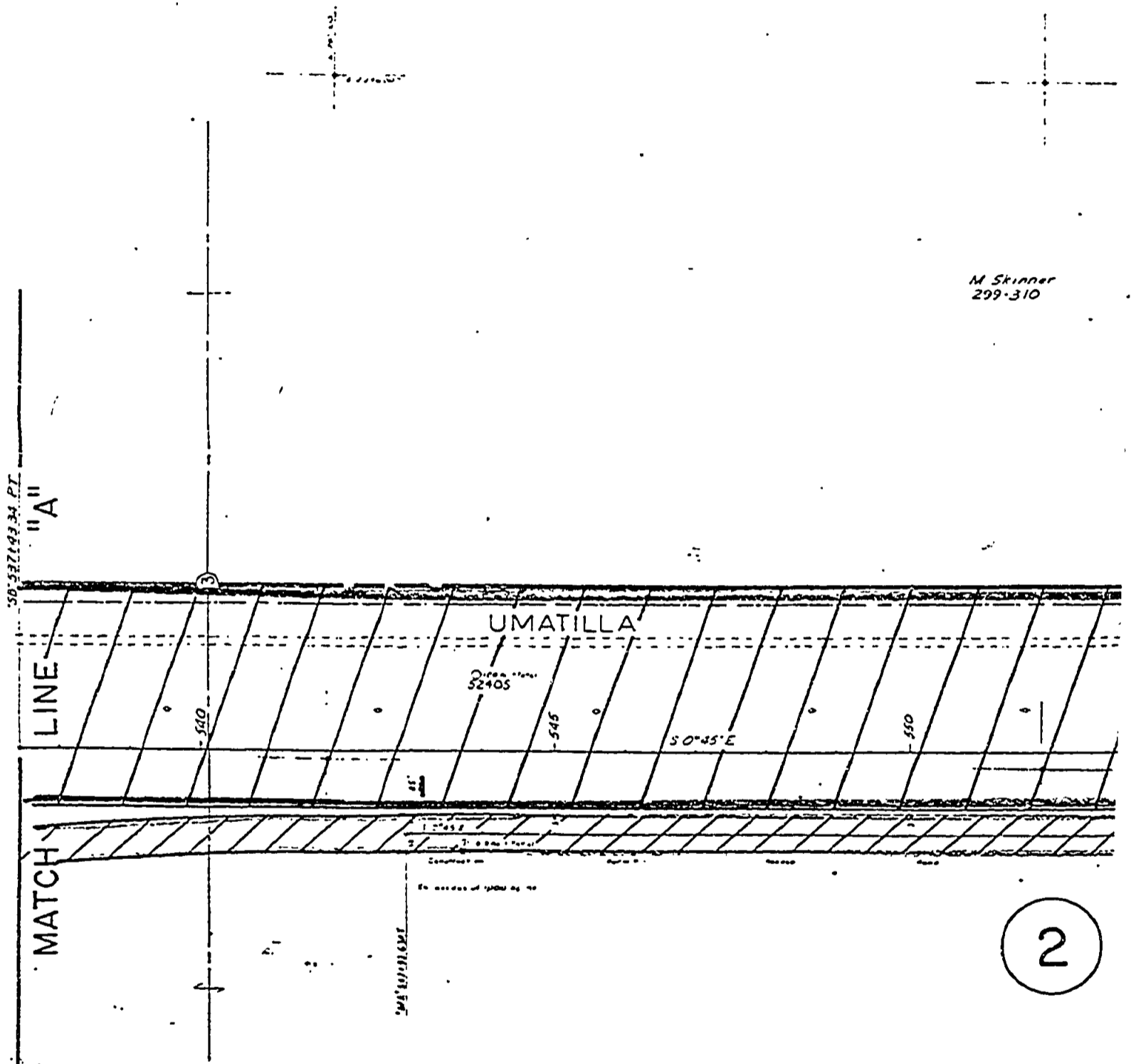
EXHIBIT "A"

SE - RE

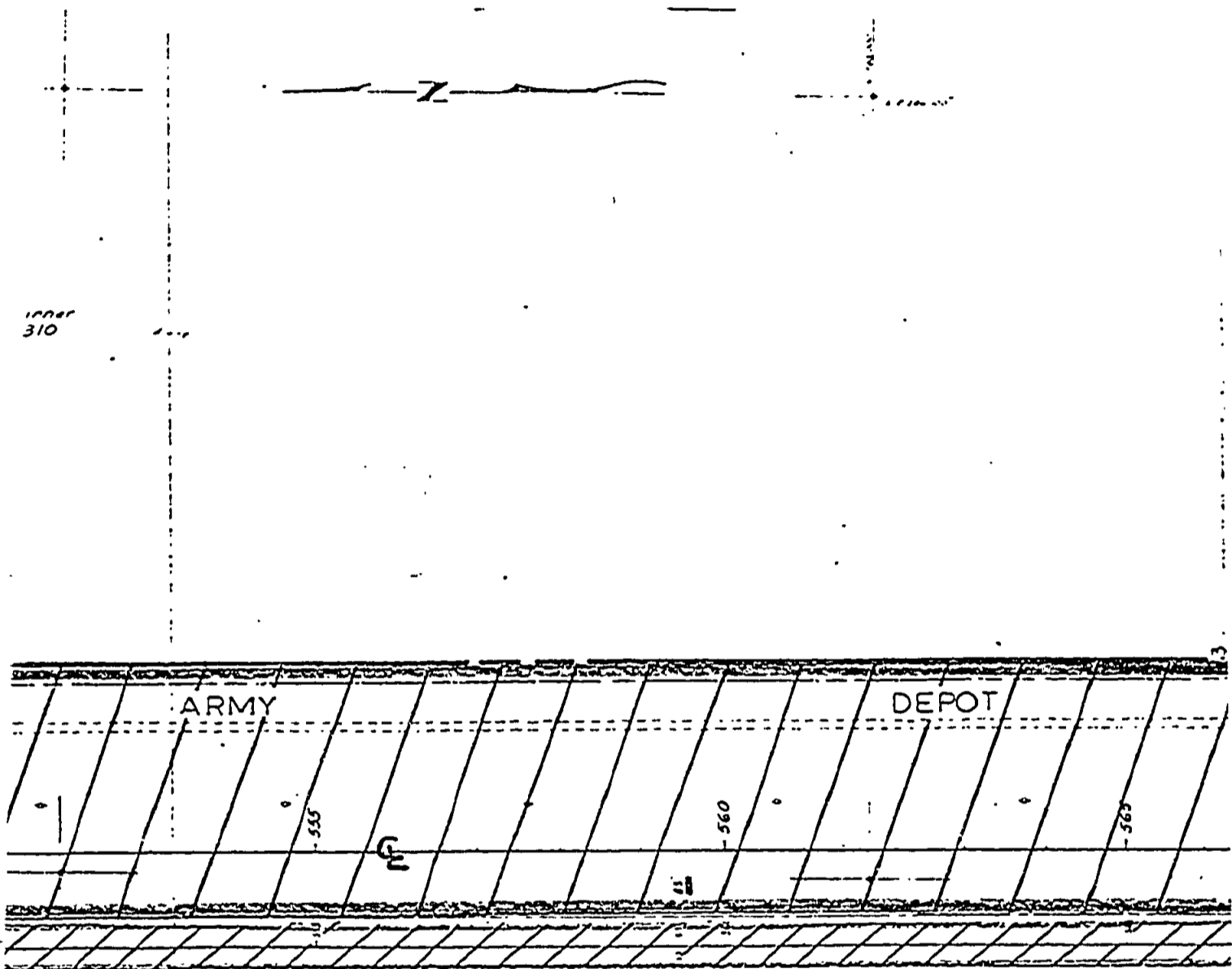
SHEET 1

ENCLOSED TRACT NOS. REFER TO MAP OF UMATILLA ARMY DEPOT, SE-RE-720

M Skinner
299-310



T. 4N, R. 27E, WM.
9B-18-15

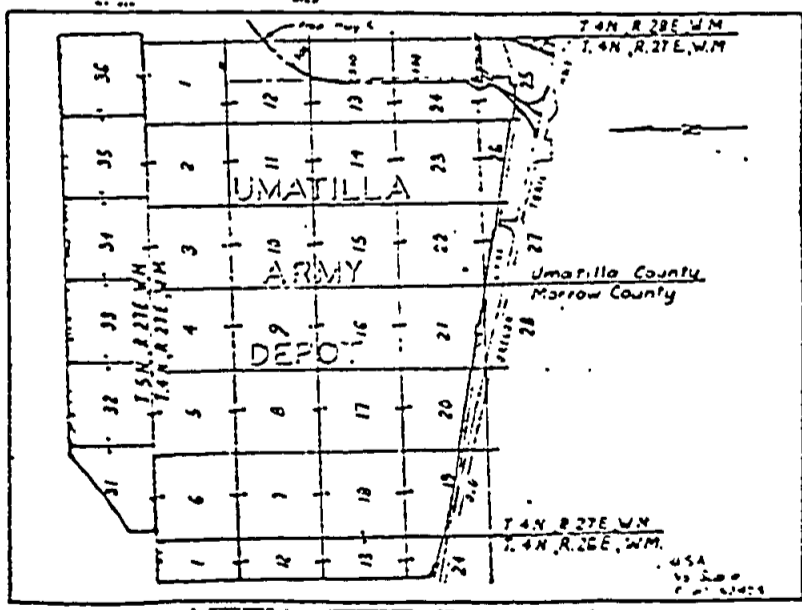
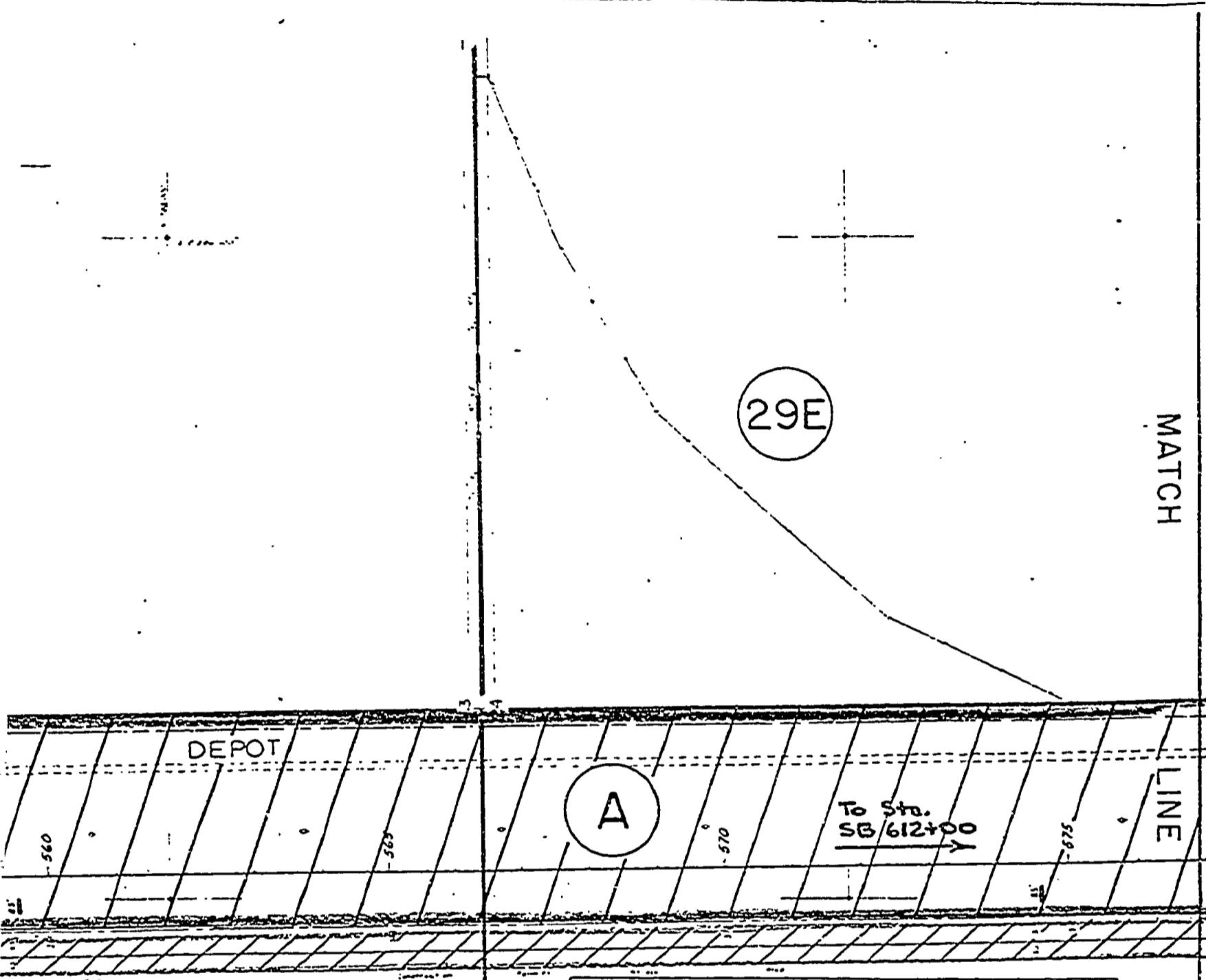


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IT

SHEET 2

ENCIRCLED TRACT NOS. REFER TO MAP OF UMATILLA ARMY DEPOT, SI

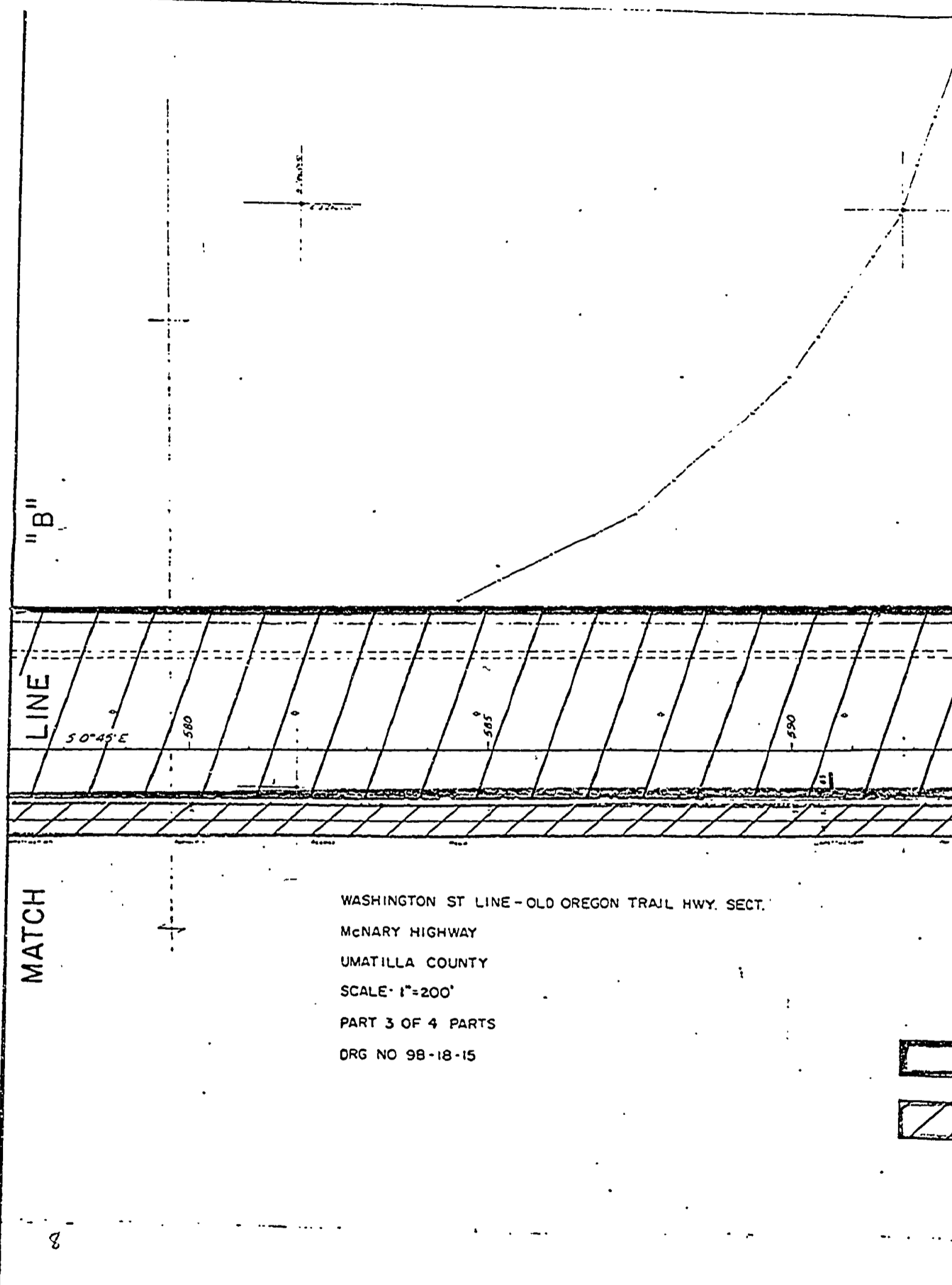


HEET 2

SELECTED TRACT NOS. REFER TO MAP OF UMATILLA ARMY DEPOT, SE-RE-720

MATCH LINE

"B"



"B"

LINE

MATCH

WASHINGTON ST LINE - OLD OREGON TRAIL HWY. SECT.

McNARY HIGHWAY

UMATILLA COUNTY

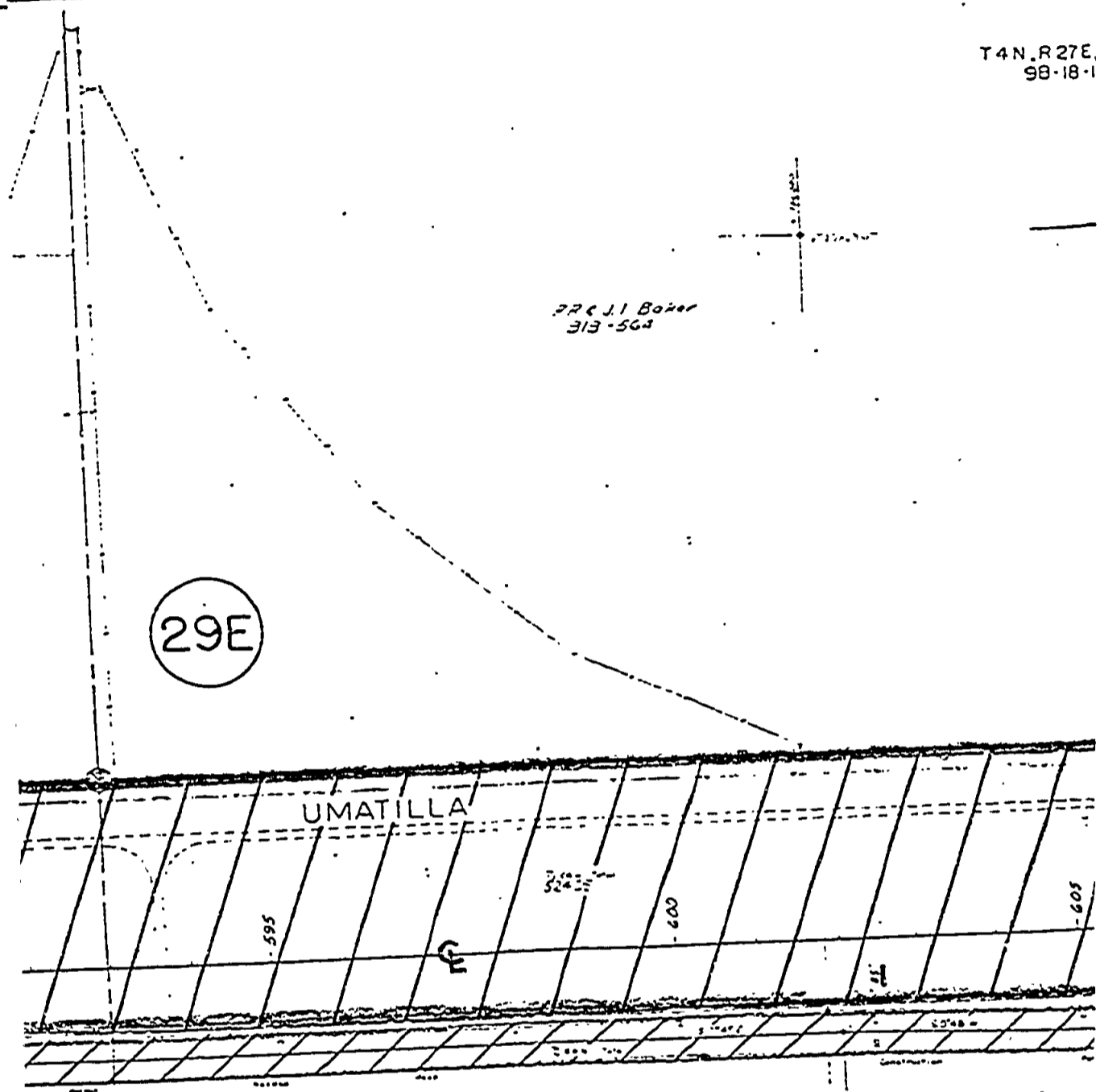
SCALE: 1"=200'

PART 3 OF 4 PARTS

ORG NO 98-18-15

8

T 4 N., R 27 E,
98-18-1

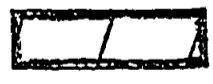


222° 50' 15" Baker
313-562

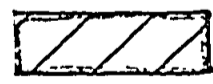
29E

UMATILLA

A



EASEMENT

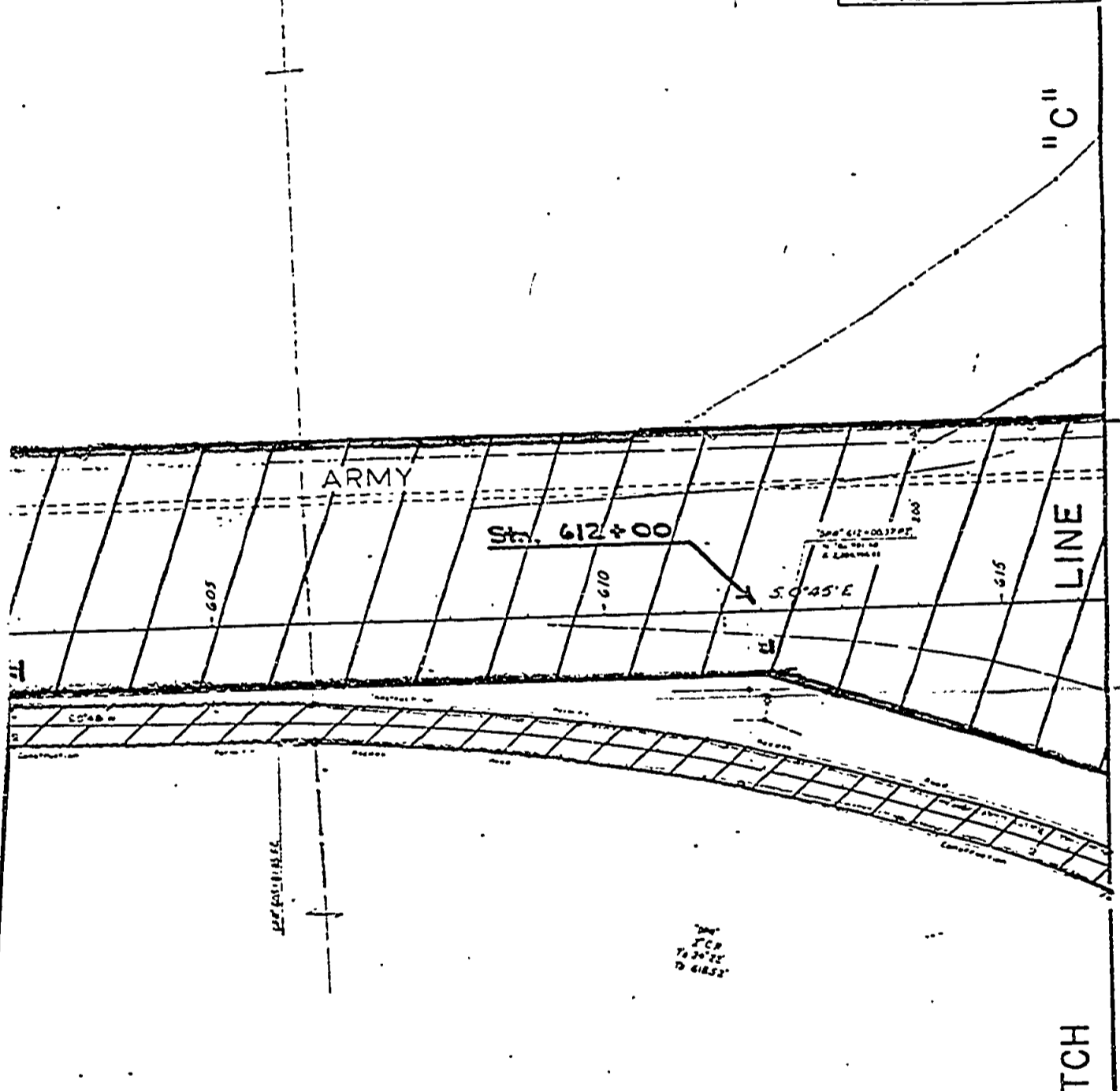
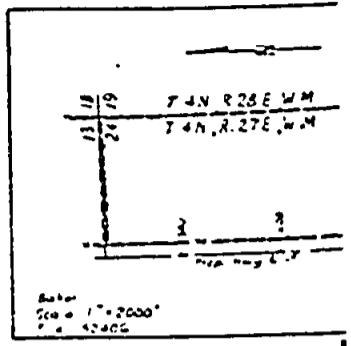


LICENSE

SHEET 3

ENCIRCLED TRACT 1
UMATILLA ARMY DEP

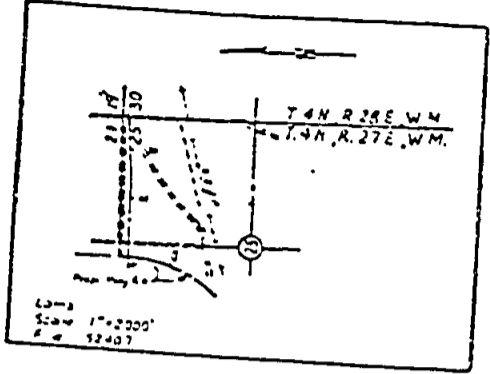
T 4 N, R 27 E, WM
98-18-15



SHEET 3

ENCIRCLED TRACT NOS. REFER TO MAP OF
UMATILLA ARMY DEPOT, SE-RE-720

SEE INSERT



RR Lamb
R 44-1761

29E

28E

"C"

DEPOT

LINE

MATCH

A

3

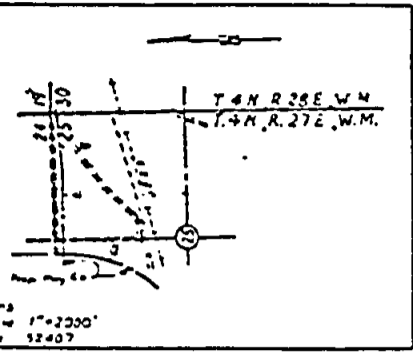
SB
3CR
TA 47
TA 102.46
500.52
DE 5
90.9

SB 620-6734PS

SB 625-6734PSC

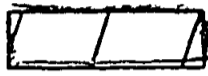
SB 616

9



RR Lomb
R 44-1781

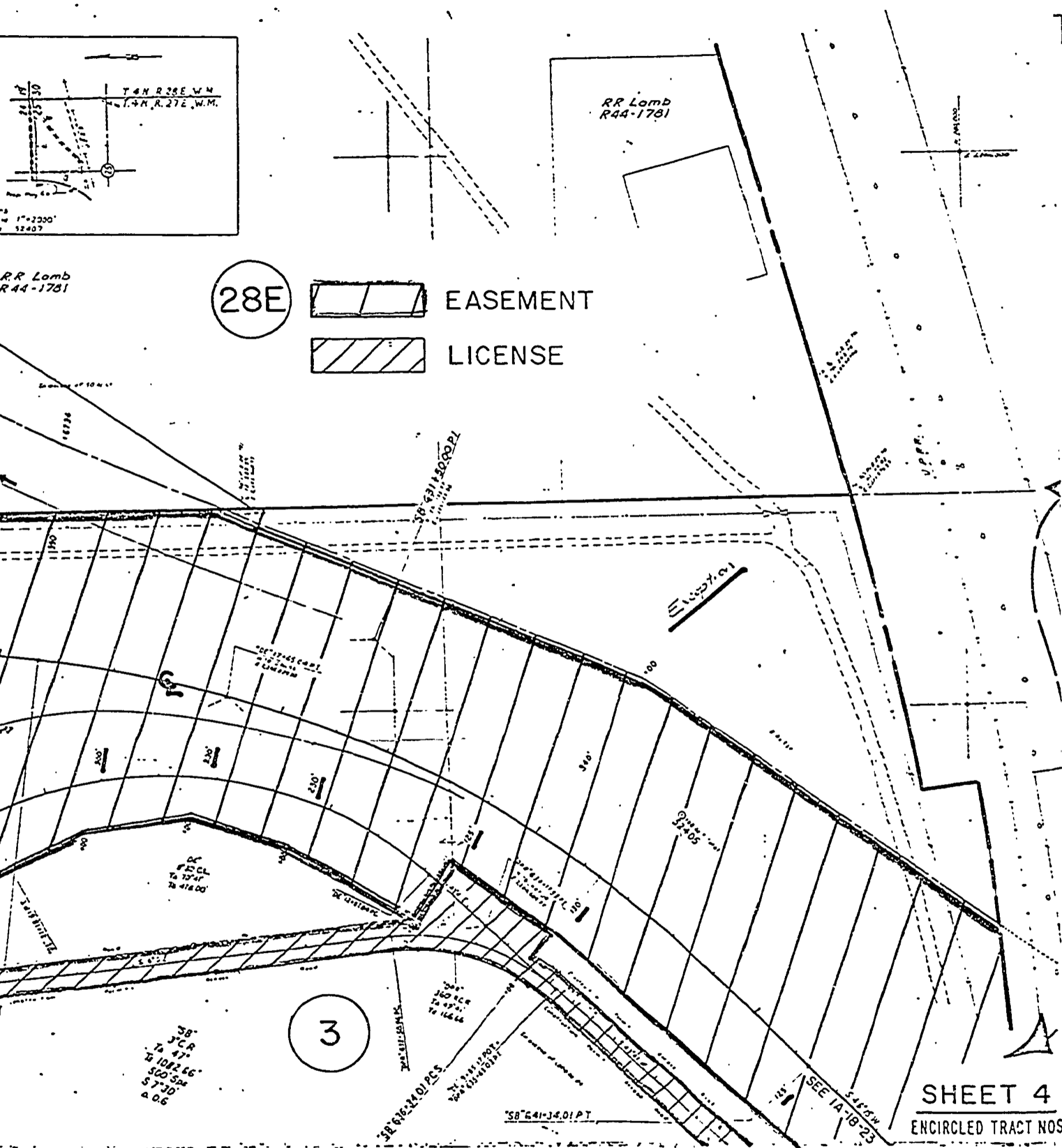
28E



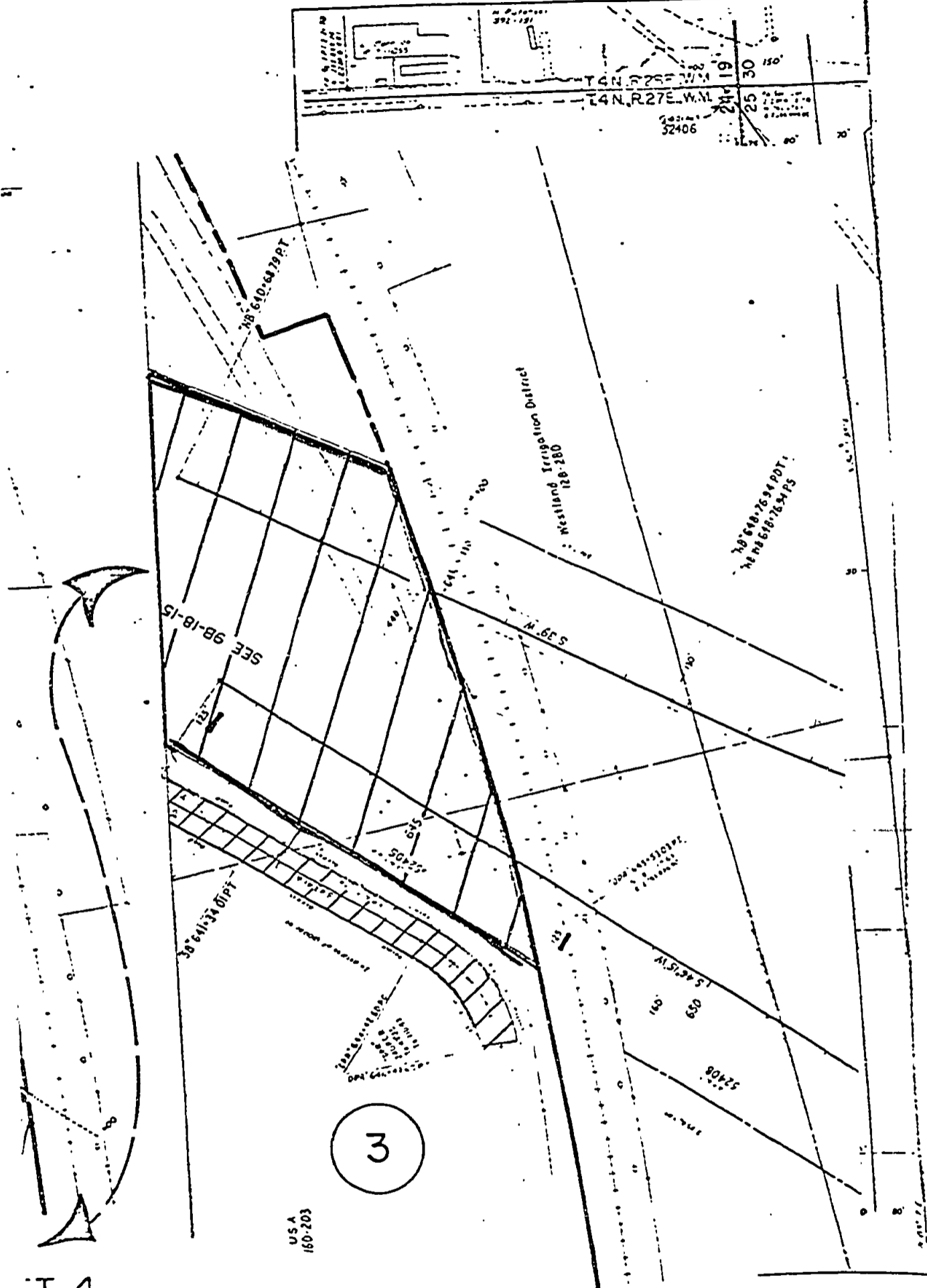
EASEMENT



LICENSE



SHEET 4
ENCIRCLED TRACT NOS



3

USA
160-203

T 4
TRACT NOS REFER TO MAP OF UMATILLA ARMY DEPOT, SE-RS-720

FILED
J. DEAN FOUQUETTE, SR.
CLERK
UMATILLA COUNTY, OREGON

1984 FEB 21 P 1:26
RECORDED

R 110 PAGE 1013

STATE OF OREGON, }
COUNTY OF UMATILLA, } ss

I, J. Dean Fouquette, Sr., County Clerk,
certify that this instrument was received and
recorded

ON FEB. 21, 1984

at 1:26 o'clock P.M. in the record
of DEEDS of said County in

Book	Page
R-110	996

J. DEAN FOUQUETTE, SR.
County Clerk

By Betty J. Brown Deputy
Fees \$ 69.00 No. 99544

Oregon State Highway Division
% R/W Section
119 Transp. Bldg.
Salem, OR. 97310