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94-43975

ODOT
File 6142-559
1A-22-17

PERMANENT SLOPE AND UTILITY EASEMENTS

357 - 0282

JAMES D. HOGUE and FRANK STORCH aka Frank J. Storch, dba S & H Associates, Grantors,
for the true and actual consideration of \$ 10,000----- do grant to the STATE OF OREGON,
by and through its DEPARTMENT OF TRANSPORTATION, Grantee, its successors and assigns,
permanent easements to construct and maintain slopes, and installation and maintenance of
communication and electrical facilities, and appurtenances therefor, on the following
described property:

Parcel 1- Permanent Easement for Slopes, and Communication and Electrical Facilities

A parcel of land lying in the NW $\frac{1}{4}$ of Section 21, Township 17 South,
Range 12 East, W.M., Deschutes County, Oregon and being a portion of that
property described in that deed to James D. Hogue and Frank Storch, recorded
in Volume 130, Page 789, Deschutes County Records and a portion of that
property acquired by James D. Hogue and Frank Storch in Deschutes County Order
No. 86-068 by the Board of Commissioners of Deschutes County, Oregon, dated
October 15, 1986; the said parcel being that portion of said property lying
Northerly of a line at right angles to the center line of relocated Empire
Avenue (formerly Industrial Park Blvd.) at Engineer's Station "EMP" 26+65 and
included in a strip of land variable in width, lying on the Southerly side of
said center line which center line is described as follows:

Beginning at Engineer's center line Station "EMP" 10+00, said station
being 1208.14 feet South and 186.36 feet West of the Northwest corner of
Section 21, Township 17 South, Range 12 East, W.M.; thence South 75° 21' 38"
East 428.79 feet; thence on a 1145.92 foot radius curve left (the long chord
of which bears South 78° 35' 01.5" East 128.86 feet) 128.93 feet; thence South
81° 48' 25" East 1048.22 feet; thence on a 2864.79 foot radius curve right
(the long chord of which bears South 79° 32' 41" East 226.16 feet) 226.22
feet; thence South 77° 16' 57" East 17.84 feet to Engineer's center line
Station "EMP" 28+50.

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

Station	to	Station	Width on Southerly Side of Center Line
"EMP" 21+55		"EMP" 23+00	90
"EMP" 23+00		"EMP" 26+65	90 in a straight line to 70

Bearings are based upon the Oregon Co-ordinate System of 1983, south
zone.

The parcel of land to which this description applies contains 14,960
square feet, more or less, outside of the existing right of way.

Parcel 2- Permanent Easement for Slopes

A parcel of land lying in the NW $\frac{1}{4}$ of Section 21, Township 17 South,
Range 12 East, W.M., Deschutes County, Oregon and being a portion of that

6-28-94

RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM, OREGON 97310

Account No.: 71221 8 900
Property Address: Bare Land

After recording, return to
BEND TITLE COMPANY
1195 N.W. WALL, BEND

property described in that deed to James D. Hogue and Frank Storch, recorded in Volume 130, Page 789, Deschutes County Records; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of relocated Empire Avenue (formerly Industrial Park Blvd.) which center line is described in Parcel 1.

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

Station	to	Station	Width on Northerly Side of Center Line
"EMP" 21+55		"EMP" 27+00	95 in a straight line to 75
"EMP" 27+00		"EMP" 27+65	75 in a straight line to 40

The parcel of land to which this description applies contains 15,750 square feet, more or less, outside of the existing right of way.

IT IS UNDERSTOOD that the easements herein granted do not convey any right or interest in the above-described property, except as stated herein, nor prevent Grantors from the use of said property; provided, however, that such use shall not be permitted to interfere with the rights herein granted or endanger the lateral support of the highway.

IT IS ALSO UNDERSTOOD that Grantee shall never be required to remove the slope materials placed by it on said property, nor shall Grantee be subject to any damages to Grantors, their heirs and assigns, by reason thereof, or by reason of any change of grade of the highway abutting on said property.

Grantors covenant to and with Grantee, its successors and assigns, that they are the owners of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

Dated this 17 day of October, 1994.



James D. Hogue and Frank Storch aka Frank J. Storch, Partners dba S & H Associates

James D. Hogue
James D. Hogue, Partner

Frank Storch
Frank Storch aka Frank J. Storch, Partner

STATE OF OREGON, County of Deschutes

October 17, 1994. Personally appeared the above named James D. Hogue and Frank Storch aka Frank J. Storch, Partners, dba S & H Associates, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Melissa R. Nix
Notary Public for Oregon
My Commission expires 11-12-94

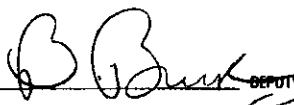
357 - 0284

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:

94 NOV -1 PM 12: 29

MARY SUE PENHOLLOW
COUNTY CLERK

BY.  DEPUTY

NO. 94-43975 FEE 25

DESCHUTES COUNTY OFFICIAL RECORDS