

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 18-04-10-05

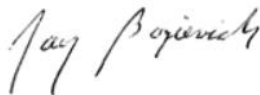
IN THE MATTER OF GRANTING AN
EASEMENT TO JOSEPH SOUTHWELL
FOR INGESS AND EGRESS ALONG A
PORTION OF COUNTY OWNED
PROPERTY IDENTIFIED AS MAP NO. 17-
02-21-00-00122

WHEREAS this matter now coming before the Lane County Board of Commissioners and said Board deeming it in the best interest of Lane County to grant an easement for ingress and egress over County owned property identified as Map No. 17-02-21-00-00122 which was acquired through tax foreclosure.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. Pursuant to ORS 275.090, for consideration of \$2,000, an easement for ingress and egress substantially similar to the terms and conditions in attached Exhibit "I" be granted to Joseph Southwell along the above described real property.
2. The Board Chair is authorized to execute the easement document.
3. The Property Management Officer is authorized to record the easement document in the deed records of the County.

ADOPTED this 10th day of April, 2018



Jay Bozievich, Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date

5/28/18

LANE COUNTY OFFICE OF LEGAL COUNSEL

EXHIBIT "T"

Grant of Easement and Maintenance Agreement

1. Lane County, a political subdivision of the State of Oregon (Grantor) is the owner of property identified as Assessor's Map No. 17-02-21-00-00122 and more particularly described in attached Exhibit "A".
2. Joseph Southwell (Grantee) is the owner of property identified as Assessor's Map No. 17-02-21-00-00100 and more particularly described in attached Exhibit "B".
3. Grantor, for consideration of \$2,000, hereby grants and conveys to Grantee a perpetual, nonexclusive easement for ingress and egress over and across a portion of Grantor's property as described in attached Exhibit "C".
4. This easement is not personal or in gross but is to be appurtenant to each and every portion of Grantee's property.
5. Grantor will at all times and without restriction, have the right to use the easement property for purposes not inconsistent with Grantee's full enjoyment of the rights granted herein.
6. Grantee and all others granted the right to use this easement or portions thereof will be responsible for maintaining the existing roadway within the easement area pursuant to the provisions of Oregon Revised Statutes 105.175 – 105.185 excepting that Grantor will have no maintenance obligations.
7. Grantee will not construct or install any fence, gate or other objects on or along the easement area which would restrict or impede use of or access to the easement area.
8. Grantee will not be responsible for payment of real property taxes on the easement area.
9. This Grant of Easement will run with the land and will be binding on and will inure to the benefit of Grantor, Grantee and their heirs, successors or assigns.

Chair, Lane County Board of Commissioners

Pursuant to Order No. _____

STATE OF OREGON)
) ss
COUNTY OF LANE)

The foregoing instrument was acknowledged before me on this ____ day of _____, 2018, by _____, Chair, Lane County Board of Commissioners

who acknowledged such instrument to be his free and voluntary act and deed, and on oath stated that they were duly authorized to execute such instrument.

After Recording Return to:
Joseph Southwell
36300 Camp Creek Rd.

Notary Public for Oregon _____

My Commission Expires _____

Springfield, OR 97478

EXHIBIT "A"

GRANTOR'S PROPERTY

Beginning at a point on the Southerly right of way line of County Road No. 598, said point being 1351.23 feet South and 3368.00 feet East of the $\frac{1}{4}$ corner to Sections 20 and 21, Township 17 South, Range 2 West of the Willamette Meridian, run thence South 140.00 feet more or less to the meander line on the right bank of the McKenzie River; thence Northerly along said meander line to a point 585 feet West of the East line of Section 21; thence North to a point on the Southerly right of way line of County Road No. 598; thence Southwesterly along the Southerly right of way line to the Point of Beginning, all in Lane County Oregon.

EXCEPTING THEREFROM any portion within Camp Creek Road, County Road, No. 598.

EXHIBIT "B"

Grantee's Property

A tract of land situated in the Southeast one-quarter of Section 21, Township 17 South, Range 2 West, of the Willamette Meridian, Lane County, Oregon, particularly described as follows: BEGINNING at a point on the line between Sections 21 and 22, of Township 17 South, Range 2 West, of the Willamette Meridian, in Lane County, Oregon, which point is South 00°02'36" West 1458.59 feet from the one-quarter corner between said Sections; run thence along said Section line, South 00°02'36" West 392.62 feet; thence North 77°41'09" West 322.23 feet; thence North 84°35'06" West 271.32 feet; thence North 00°02'36" East 455.43 feet to the Southerly right-of-way line of Camp Creek Road (County Road No. 598); thence along said right-of-way line, North 89°01'10" East 135.55 feet; thence leaving said right-of-way line, South 00°00'41" East 160.53 feet; thence South 66°28'23 East 220.32 feet; thence North 89°47'50" East 123.15 feet; thence North 00°06'03" East 88.35 feet to the Southwest corner of Parcel 2 of Land Partition Plat No. 93-P0392 of Lane County Plat Records, in Lane County, Oregon; thence along the South line of said Parcel 2, North 89°47'50" East 123.55 feet to the point of beginning, all in Lane County, Oregon.

EXHIBIT "C"

Easement Area

A 30 foot wide Private Access Easement located in the Southeast one-quarter (SE ¼) of Section 21, Township 17 South, Range 2 West of the Willamette Meridian, Lane County, Oregon, said easement being located on that certain tract of land conveyed to Lane County by that Deed recorded September 20, 1993, on Reel 1879R, Recorder's Reception Number 9359333, Lane County Oregon Deeds Records, said tract of land acquired by foreclosure and identified on said deed as Tax Lot Number 17-02-21-00-00122, said Private Access Easement lying 15.00 feet in width on both sides of the following described centerlines:

Beginning at a point on the southerly right of way of Camp Creek Road (County Road No. 598), said point being West 715.91 feet and South 1301.50 feet from a found 1977 Lane County Public Works Department brass cap marking the East One-Quarter Corner of Section 21, Township 17 South, Range 2 West of the Willamette Meridian, said point also being opposite of and 30 feet right from Engineer's Centerline Station L2 107+14.00 P.O.C.; thence South 6°30'00" East, along the centerline of an existing dirt road, 29.27 feet; thence continuing along said centerline of dirt road, South 21°00'00" East 34.00 feet, more or less, to the southerly line of said tract of land conveyed to Lane County, also being the original meander line on the right bank of the McKenzie River, and there ending, all in Lane County, Oregon.

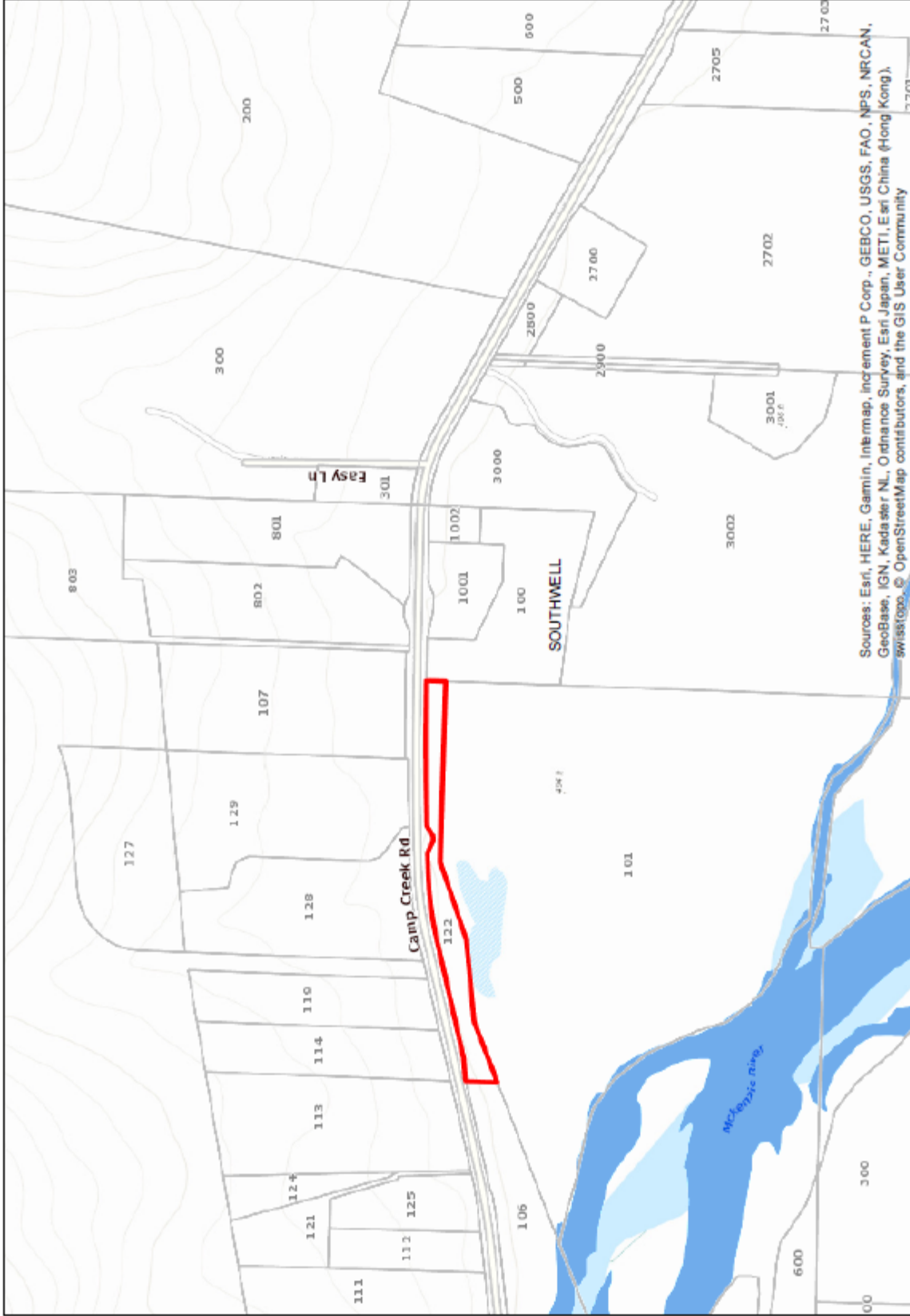
Also:

Beginning at a point on the previously described centerline, said point being West 700.62 feet and South 1361.80 feet from a found 1977 Lane County Public Works Department brass cap marking the East One-Quarter Corner of Section 21, Township 17 South, Range 2 West of the Willamette Meridian; thence North 84°00'00" East, along the centerline of a dirt road that runs easterly from the Point of Beginning, 57.79 feet; thence continuing along said centerline of dirt road, East 30.11 feet; thence continuing along said centerline of dirt road, South 87°00'00" East 23.00 feet, more or less, to the westerly line of that tract of land conveyed to Joe Southwell on that certain deed recorded on Instrument No. 2012-053507, Lane County Oregon Deed Records, Lane County Oregon.

Except therefrom: any portion of the above described descriptions lying southerly of the original meander line on the right bank of the McKenzie River, said meander line also being the southerly line of the tract of land conveyed to Lane County on Reel 1879R, Reception No. 9359333, Lane County Oregon Deed Records, Lane County, Oregon.

Basis of Bearings: South 0°14'29" West between the found brass cap marking the East One-Quarter Corner and the found brass cap marking the Southeast Corner of Section 21, Township 17 South, Range 2 West of the Willamette Meridian.

Coordinate System: Oregon Coordinate Reference System (OCRS), Eugene Zone, NAD83 (CORS2011), Epoch 2010.00.



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, © OpenStreetMap contributors, and the GIS User Community

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CPITS Web Map



Lane County, Oregon