

# EASEMENTS AN ODOT PERSPECTIVE



MIKE FALLERT, PLS  
SENIOR RIGHT OF WAY ENGINEERING SURVEYOR  
OREGON DEPARTMENT OF TRANSPORTATION  
SALEM, OREGON

# WHAT IS AN EASEMENT?

*It's the right held by one person to make use of the land held by another person for a limited interest.*

*Black's Law Dictionary*

# ODOT'S RIGHT OF WAY DEPARTMENT IS THE HOLDER OF OUR "APPROVED EASEMENT LIST".



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Oregon Department Of Transportation  
Right Of Way Section  
Roadway Engineering Section, Right Of Way Engineering Group

Original Publication Date 1/12/2005

## APPROVED EASEMENT LIST

Easements, both temporary and permanent, are specific as to use and cannot be utilized for a purpose other than what is specified. An easement area purchased to construct and maintain roadway slopes cannot be used to place a drainage facility or a sidewalk. Thus all intended uses of the easement must be specified. If multiple uses are intended to occupy the same acquisition area, the easement titles may, with approval, be combined in the parcel description. However, combining easements should not be done without careful consideration of what the result would be. If an easement is needed at a specified location, such as for a sign, or traffic control facility, and falls within another larger easement, such as slopes, then it is best to separate these two easements into separate parcels. Combining the easements encumbers the area with all the listed uses and a higher cost of acquisition. Also avoid attempting to combine easements that have similar uses. For example, most easements include access over and across the area so it is not necessary to combine an access easement with another easement that allows access. The writer shall contact Right of Way Headquarters and the Right of Way Engineering Group in Geometrics for advice on combining any easements with the exception of slopes and utilities. These easements may be combined without prior approval. Temporary easements are limited to a specific period of time and automatically extinguish at the end of the period. All temporary easement titles in the description shall include the phrase (3 years or duration of Project, whichever is sooner). This phrase gives a maximum time period of the easement (3 years) while allowing the easement to extinguish if the project duration is less and the easement is no longer needed. If it is known that the duration of the project will be longer than 3 years, then this maximum time period may be lengthened. However, the longer that the easement will be in effect, the greater the appraised value of the easement will be.

Temporary and permanent easements cannot be combined and must be written as separate parcels.

The easement types approved for use in ODOT descriptions and deeds are grouped in the following categories: Roadway, Access, Structural, Traffic and Utility, Riparian and Hazardous Materials. Each category contains both permanent and temporary easements. Some easements may be acquired as both permanent or temporary and are noted as such. The specific easement title is shown in bold text. Below the title are listed the allowed uses of the easement followed by any qualifying information.

These easements cover most of the uses that would be required for a typical project and every attempt should be made to utilize the easements on this approved list. The approved easement list in the Right of Way Engineering Manual contains the approved uses for each easement.

Under no circumstances should a writer modify an easement title by either adding to or deleting from the title. Easements have Department of Justice approval and if the easement title is modified except as specified above, it will be rejected by Right of Way Headquarters and come back to the writer for a revision and possibly delaying the project. **THIS IS NOT NEGOTIABLE.**

If for any reason an easement is required that does not appear on this list, submit the proposed easement title and intended use to Salem Headquarters for approval. As mentioned previously, slopes and utilities can be combined without prior approval from Headquarters. The contact information for submitting requests for easement changes is:

ODOT has this list of specific approved easements both permanent and temporary. The titles, uses and boiler plate language for the conveyance documents have all been vetted and approved by the Oregon Department of Justice (DOJ). This keeps everything consistent and defensible if condemnation happens to occur.

## What is easement by condemnation?

Taking of private property for public use through the government's power of eminent domain.

For training purposes.

Yamhill County Official Records	2015XXXXXX
CCL-JCCL	
Str=6 SUTTONS	04/14/2015 10:54:31 AM
14Pgs \$70.00 \$11.00	\$81.00
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

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IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF YAMHILL

STATE OF OREGON, by and through its  
Department of Transportation,

Plaintiff,

v.

XXXXXXX,

Defendants.

Case No. 14CVXXXXXX

STIPULATED GENERAL JUDGMENT

ORS 20.140 - State fees deferred at filing

This judgment comes to the Court upon stipulation of the parties, plaintiff appearing by and through #####, of attorney for the State of Oregon, and defendant XXXXXX, by and through #####, its attorney of record; and

The parties by their stipulation below agreeing and advising the court, and the court finding:

That the parties have reached an agreement settling the case;

That no good cause exists for setting aside the settlement agreement or setting this case for trial;

That this judgment reflects a settlement of all issues raised or raiseable in this action;

That the real property described in Exhibit A attached hereto and made part of this judgment, and paragraph 4 of the plaintiff's complaint is necessary for public use;

That the plaintiff prior to the commencement of this action and pursuant to its resolution, attempted to acquire said real property by agreement and purchase, but was unable to do so;

Page 1 - STIPULATED GENERAL JUDGMENT  
JK5/6341009-v1

Department of Justice  
1162 Court Street NE  
Salem, OR 97301-4096  
(503) 947-4700 / Fax: (503) 947-4791



Easements, both temporary and permanent, are specific as to use and cannot be utilized for a purpose other than what is specified. An easement area purchased to construct and maintain roadway slopes cannot be used to place a drainage facility or a sidewalk. Thus all intended uses of the easement must be specified. If multiple uses are intended to occupy the same acquisition area, the easement titles may, with approval, be combined in the parcel description. However, combining easements should not be done without careful consideration of what the result would be. If an easement is needed at a specified location, such as for a sign, or traffic control facility, and falls within another larger easement, such as slopes, then it is best to separate these two easements into separate parcels. Combining the easements encumbers the area with all the listed uses and a higher cost of acquisition. Also avoid attempting to combine easements that have similar uses. For example, most easements include access over and across the area so it is not necessary to combine an access easement with another easement that allows access.

ODOT acquires these easements for the public whether that be sidewalks, clear zones, utilities, slopes etc. Think of the project, construction and maintenance when determining the type.



APPROVED EASEMENT LIST

ROADWAY EASEMENTS

Permanent Easements

**Permanent Easement for Highway Right of Way Purposes**

Allowed Uses: To construct, reconstruct, repair, and maintain a public highway and its appurtenances and facilities, and also to construct and maintain water, gas, electric and communication service lines, fixtures and facilities, and appurtenances therefore, upon, over, under and across the property.

Note: This easement acquires all rights necessary for highway uses but does not acquire the underlying fee of the property and is used in lieu of a total fee take. It is mainly used for railroad encroachments, or takes along county roads where the County requires an easement instead of fee.

**Permanent Easement For Slopes**

Allowed Uses: To construct and maintain slopes.

Note: This easement may also be temporary (see Temporary Easements). This easement can be combined with the easement for water, gas, electric and communication service lines, fixtures and facilities.

This easement is for the use of slopes supporting the roadway and does not allow temporary construction of other facilities such as road approaches. Use specific easements for other uses.

**Permanent Easement For Sidewalk**

Allowed Uses: To construct a public sidewalk.

**Permanent Easement For Slide Correction**

Allowed Uses: To enter upon, take, move, remove, and dispose of earth, sand, rock or other materials and for the purpose of correcting and eliminating present or future slide conditions, installing drainage facilities, stabilizing slopes, and preventing further slides.

**Permanent Easement For Sub Surface Soil Stabilization**

Allowed Uses: To enter upon, take, move, remove, and dispose of earth, sand, rock, or other materials, and for the purpose of correcting and eliminating present or future unstable soil conditions, installing drainage facilities, stabilizing soils, and preventing further unstable soil conditions.

**Permanent Easement For Clear Zone**

Allowed Uses: To enter upon and remove, trees, brush and other obstacles in order to provide a save recovery area for vehicles which leave the traveled roadway.



APPROVED EASEMENT LIST

**Permanent Easement For Intersection Sight Distance**

Allowed Uses: For improving the sight distance for vehicles traveling on the highway.

Note: This easement will be granted with the following conditions and restrictions:

1. Landscaping, grass, brush, trees and other improvements on the easement area will not exceed 6" height, except for utility poles.
2. Grantee shall have the right to keep the easement area clear of any landscaping, grass, brush, trees and other improvement over said 6" height limitation, but shall not be obligate to do so.
3. Grantor(s) shall be allowed to use said easement area for landscaping and other purposes provided that nothing will be placed thereon which will exceed 6" height limitation.

The 6" height limitation may be adjusted by the project team.

**Permanent Easement For Bicycle/Pedestrian Facility**

Allowed uses: To construct and maintain a bicycle/pedestrian facility for the use of non-motorized bicycles and pedestrian foot traffic only.

Note: If the bicycle/pedestrian facility is to be temporary for use during the course of a construction project use Temporary Easement for Detour

**Temporary Easements**

**Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

Allowed Uses: For construction purposes during a project.

**Temporary Easement For Slopes (3 years or duration of Project, whichever is sooner)**

Allowed Uses: To construct and maintain slopes.

Note: This easement may also be permanent (see Permanent Easements).

**Temporary Easement For Fill Material (3 years or duration of Project, whichever is sooner)**

Allowed Uses: To enter upon the described property for the purpose of placing fill material in connection with a project.

**Temporary Easement For Detour (3 years or duration of Project, whichever is sooner)**

Allowed Uses: For the construction or make available a detour road for public travel.

Note: This easement may be restricted to bicycle/pedestrian use only.

**Temporary Easement For Road Approach (3 years or duration of Project, whichever is sooner)**

Allowed uses: For the construction, operation and maintenance of a road approach.



APPROVED EASEMENT LIST

**Temporary Easement For Driveway/Road Approach Reconnection (3 years or duration of Project, whichever is sooner)**

Allowed Uses: To reconnect the new road profile to the current driveway or road approach.

**Temporary Easement For Building Demolition (3 years or duration of Project, whichever is sooner)**

Allowed Uses: For the demolition of a structure and removal of debris from the property described.

**Temporary Easement For Turbidity Monitoring (3 years or duration of Project, whichever is sooner)**

Allowed Uses: For access to stream for turbidity monitoring and removal of natural vegetation necessary to conduct the monitoring.

**ACCESS EASEMENTS**

**Permanent Easements**

**Permanent Easement For Access Road**

Allowed Uses: To construct and maintain an access road over and across the property described.

Note: The access road that is constructed within the permanent easement becomes a public road. If the easement is to be temporary, the access road can be eliminated after the easement expires.

This easement may also be temporary (see Temporary Easements).

**Permanent Easement For Access**

Allowed Uses: For access over and across the property described.

Note: This easement only allows the right to access over and across the property, and may be restricted to just foot traffic. If the easement is along an existing private roadway, it does not grant any construction or maintenance rights.

This easement may also be temporary (see Temporary Easements).

**Permanent Easement For Ingress and Egress**

Allowed Uses: To cross another property to access public right of way.

**Temporary Easements**

**Temporary Easement For Access Road (3 years or duration of Project, whichever is sooner)**

Allowed Uses: To construct and maintain an access road over and across the property described. Note: The Access road that is constructed within the permanent easement becomes a public road. If the easement is to be temporary, the access road can be eliminated after the easement expires.

Note: This easement may also be permanent (see Permanent Easements).



APPROVED EASEMENT LIST

**Temporary Easement For Access (3 years or duration of Project, whichever is sooner)**

Allowed Uses: For access over and across the property described. Note: This easement only allows the right to access over and across the property, and may be restricted to just foot traffic.

If the easement is along an existing private roadway, it does not grant any construction or maintenance rights.

Note: This easement may also be permanent (see Permanent Easements).

**STRUCTURAL EASEMENTS**

**Permanent Easements**

**Permanent Easement For (type of wall) Wall**

Allowed Uses: For the construction, maintenance of wall and footings.

Note: The type of walls allowed for this easement are retaining, sound and privacy.

**Permanent Easement For Retaining Wall Supports**

Allowed Uses: For the construction and maintenance of sub-surface tie backs for retaining wall footings.

**Permanent Easement For Wall Maintenance**

Allowed Uses: Access over and across the property described to maintain a wall.

Note: This easement is used only when the retaining, sound or privacy wall is constructed entirely upon ODOT right of way but access is required across the abutting property to maintain the wall.

**Permanent Easement For Snow Fence**

Allowed Uses: For the installation and maintenance of a snow fence and appurtenances.

**Permanent Easement For Snow Fence Maintenance**

Allowed Uses: Access over and across the property described to maintain a Snow Fence.

Note: This easement is used only when the snow fence is constructed entirely upon ODOT right of way but access is required across the abutting property to maintain the wall.

**Permanent Easement For Bridge Facility**

Allowed Uses: For the construction, maintenance, operation and replacement in, over and across State owned submerged and submersible land.

Note: This easement is rarely used in acquisitions from Division of State Lands. Easement of choice would be a Permanent Easement For Highway Right Of Way Purposes (see Roadway Easements)



APPROVED EASEMENT LIST

**Permanent Easement For Bridge Maintenance**

Allowed Uses: For access over and across the property described to maintain a bridge facility and appurtenances.

**Permanent Easement For Sign Bridge**

Allowed Uses: For the construction, installation and maintenance of sign bridge and appurtenances.

**Permanent Easement For Guardrail Facility**

Allowed Uses: For the construction, installation and maintenance of a guardrail.

**Permanent Easement For Rip Rap and Revetment**

Allowed Uses: To construct and maintain rip rap and revetment.

**Permanent Easement For Interpretative Sign Facility**

Allowed Uses: For the construction, installation and maintenance of an interpretative sign facility and appurtenances.

Note: If the sign facility is not located adjacent to the highway right of way, a permanent access easement may also be needed.

**Temporary Easements**

**Temporary Easement For Snow Fence (3 years or duration of Project, whichever is sooner)**

Allowed Uses: For the installation and maintenance of a snow fence and it's appurtenances.

Note: This easement may also be permanent (see Permanent Easements).

**TRAFFIC AND UTILITY EASEMENTS**

**Permanent Easements**

**Permanent Easement For Traffic Control Facilities**

Allowed Uses: To install, operate, and maintain traffic control facilities, and its appurtenances, including traffic signal vehicle loop detectors, under, over, and across the property described.

**Permanent Easement For Sign**

Allowed Uses: For the construction, installation and maintenance of Highway sign(s) and appurtenances.

**Permanent Easement For Illumination Facilities**

Allowed Uses: For the construction and maintenance of illumination facilities and appurtenances.



APPROVED EASEMENT LIST

**Permanent Easement For Water, Gas, Electric and Communication Service Lines, Fixtures and Facilities**

Allowed Uses: To relocate, construct and maintain electric, water, gas and communication service lines, fixtures and facilities and appurtenances therefore, upon, over, under and across the property described.

Note: This easement is usually combined with a permanent easement for slopes (see Roadway Easements).

**Permanent Easement For Overhead Electric and Communication Service Lines, Fixtures and Facilities**

Allowed Uses: To relocate, construct and maintain overhead electric, and communication service lines, fixtures and facilities and appurtenances therefore, upon, over, and across the property described.

Note: This easement does not allow underground power or communication lines.

**Permanent Easement For Utility Pole**

Allowed Uses: For the installation and maintenance of a utility pole, and it's appurtenances.

Note: This easement may also be temporary (see Temporary Easements).

**Permanent Easement For Anchor Pole**

Allowed Uses: To construct and maintain an anchor pole, including guys and other supports over and across the property.

Note: This easement may also be temporary (see Temporary Easements).

**Permanent Easement For Irrigation Facilities**

Allowed Uses: To construct and maintain irrigation facilities upon the property described.

Note: This easement may also be temporary (see Temporary Easements).

**Permanent Easement For Landscaping**

Allowed Uses: To install, plant, remove and maintain landscaping.

Note: This easement may also be temporary (see Temporary Easements).

**Permanent Easement For Drainage Facilities**

Allowed Uses: To construct and maintain a drainage facility on the property described.

Note: This easement also includes access across the property for the construction and maintenance.

**Permanent Easement For Sanitary Sewer Line Facilities**

Allowed Uses: To construct, reconstruct, operate, maintain, inspect and repair underground sewer line facilities and appurtenances.



APPROVED EASEMENT LIST

**Temporary Easements**

**Temporary Easement For Utility Pole (3 years or duration of Project, whichever is sooner)**

Allowed Uses: For the installation, maintenance of Utility Pole and its appurtenances.

Note: This easement may also be permanent (see Permanent Easements).

**Temporary Easement For Anchor Pole (3 years or duration of Project, whichever is sooner)**

Allowed Uses: To construct an anchor pole for a temporary use, including guys and other supports over and across a certain property.

Note: This easement may also be permanent (see Permanent Easements).

**Temporary Easement For Traffic Control Facilities (3 years or duration of Project, whichever is sooner)**

Allowed Uses: For the installation, operation and maintenance of traffic control facilities, and its appurtenances, including traffic signal vehicle loop detectors, under, over and across the property.

**Temporary Easement For Illumination Facilities (3 years or duration of Project, whichever is sooner)**

Allowed Uses: For the construction and maintenance of Illumination Facilities and appurtenances.

Note: This easement may also be permanent (see Permanent Easements).

**Temporary Easement For Irrigation Facilities (3 years or duration of Project, whichever is sooner)**

Allowed Uses: To construct and maintain an irrigation facility.

Note: This easement may also be permanent (see Permanent Easements).

**Temporary Easement For Drainage Facilities (3 years or duration of Project, whichever is sooner)**

Allowed Uses: To construct and maintain a drainage facility. (Includes Access)

Note: This easement may also be permanent (see Permanent Easements).

**Temporary Easement For Drainage Ditch (3 years or duration of Project, whichever is sooner)**

Allowed Uses: To enter upon the described property for the purpose of cleaning out and improving an existing drainage ditch.



APPROVED EASEMENT LIST

**CONSERVATION AND RIPARIAN EASEMENTS**

**Permanent Easements**

**Permanent Easement For Riparian/Flood Plain Enhancement**

Allowed Uses: 1. To modify and/or preserve the property described to help reduce the effects of flooding. 2. To help protect the stream bank from erosion. 3. To help sustain fish populations. 4. To improve the ecological health of the stream and the riparian area by providing shade.

Note: This easement allows the uses in the discontinued "fish enhancement" "vegetation" and "riparian/flood plain" easements.

**Permanent Easement For Water Flow**

Allowed Uses: To drain and facilitate flow of varying amounts of water over and across the property described.

Note: This is essentially a "flooding easement", defined by a water elevation contour, rather than bounds as they are normally described. This easement will probably be removed from the description upon condemnation proceedings.

**Permanent Easement For Wetland Mitigation**

Allowed Uses: For the preservation of the wetland and natural state of the property. This easement shall include the right to enter upon said easement area for the purpose of planting, digging, cleaning and performing such other activities as benefit wildlife and otherwise preserve the natural state of the easement area. The area cannot be dredged, filled, contaminated by any waste or toxic materials, or drained.

**Permanent Easement For Channel Change**

Allowed Uses: To change the channel of existing creek or waterway to facilitate a project.

Note: This easement may also be temporary (see Temporary Easements).

**Permanent Easement For Fish Mitigation (Passage)**

Allowed Uses: For the purpose of preserving and enhancing the fish habitat and fish passage.

**Permanent Easement For Wildlife and Vegetative Habitat Conservation**

Allowed Uses: For the purpose of constructing, maintaining and implementing a conservation plan to conserve or enhance the property for the survival of fish or other living things including the right to manage the vegetation and wildlife on the subject property, including the right to plant, harvest, remove, clear, trim, or monitor the condition of any and all vegetation and wildlife.

Note: This easement is similar to a Wetland Mitigation easement, however it may only include non riparian areas.



APPROVED EASEMENT LIST

**Temporary Easements**

**Temporary Easement For Channel Change (3 years or duration of Project, whichever is sooner)**

Allowed Uses: To change the channel of an existing creek or waterway to facilitate a project.

Note: This easement may also be permanent (see Permanent Easements).

**HAZARDOUS MATERIALS EASEMENTS**

**Temporary Easement For Hazardous Materials Remediation (5 years or duration of Project, whichever is sooner)**

Allowed uses: For the purpose of the installation, operation and maintenance of a subsurface hydrocarbon remediation system.

Note: System to be removed upon completion of remediation and site restored to original condition. The maximum duration of the easement (5 years) may be lengthened or shortened fit specific conditions of the site.



So as we have been discussing you can see how ODOT has broken the easements in the most used categories and uses. When a specific or new use is needed then we have to come up with verbiage and send it to DOJ for vetting and legal advice. The result of such is a new boiler plate language tailored just for that easement.

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7Pgs \$35.00 \$11.00 \$5.00 \$20.00	<b>\$71.00</b>
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

**PERMANENT EASEMENT**

XXXXXXXXXX, Grantor, for the true and actual consideration of

XXXXXXXXXX does grant to the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, its successors and assigns, a permanent easement to construct, reconstruct, repair, and maintain a public highway and its appurtenances and facilities, and also to construct and maintain water, gas, electric and communication service lines, fixtures and facilities, and appurtenances therefore, upon, over, under and across the property described as **Parcel 1 on Exhibit "A" dated 05/27/2014**, attached hereto and by this reference made a part hereof.

Grantor also grants to Grantee, its successors and assigns, a permanent easement to construct and maintain slopes, and to relocate, construct and maintain water, gas, electric and communication service lines, fixtures and facilities, and appurtenances therefore, upon, over, under, and across the property described as **Parcel 2 on Exhibit "A" dated 05/27/2014**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the easement herein granted does not convey any right, or interest in the above-described Parcel 2, except for the purposes stated herein, nor prevent Grantor 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 public way, or to interfere in any way with the relocation, construction, and maintenance of said utilities, and their appurtenances, as granted herein above.

**AFTER RECORDING RETURN TO:**  
OREGON DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY SECTION  
4040 FAIRVIEW INDUSTRIAL DRIVE SE MS#2  
SALEM OR 97302-1142

Map and Tax Lot #: 3 2 21BB 100  
Property Address: 216 NE Springbrook Road  
Newberg, OR 97132

For training purposes.

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 Grantor and grantor's heirs, successors and assigns, by reason thereof, or by reason of any change of grade of the public way abutting on said property.

IT IS ALSO UNDERSTOOD that this easement shall be subject to the same conditions, terms and restrictions contained in the easements, licenses and/or permits granted to the owner of any facilities being relocated.

IT IS ALSO UNDERSTOOD that Grantor shall not place or erect any buildings or structures upon the easement area without the written consent of Grantee.

IT IS FURTHER UNDERSTOOD that nothing herein contained is intended to create any obligation on the part of Grantee for the maintenance of said utilities.

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property described as **Parcels 3 and 4 on Exhibit "A" dated 05/27/2014**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate five (5) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcels 3 and 4, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantor covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

For training purposes.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this day of 11 - 21, <sup>14</sup>~~2021~~ <sup>890</sup>

XXXXXXXX

[Redacted signature]

By See other attachment  
Secretary

STATE OF OREGON, County of OLUK

Dated 11-21, 2014. Personally appeared [Redacted] and

N/A, who, being sworn, stated that they are the President and Secretary of

[Redacted] an Oregon corporation, and that this instrument was voluntarily signed on behalf of the corporation by authority of its Board of Directors. Before me:



Bonnie Petrovic Beck  
Notary Public for Oregon  
My Commission expires October 20, 2018

Accepted on behalf of the Oregon Department of Transportation

[Signature] 11/21/14

For training purposes.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

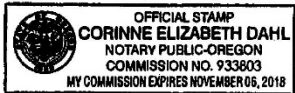
It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this day of November 17, 2014.

[Redacted signature block]

STATE OF OREGON, County of Yamhill  
Dated November 17, 2014. Personally appeared [Redacted] and [Redacted], who, being sworn, stated that they are

[Redacted] an Oregon corporation, and that this instrument was voluntarily signed on behalf of the corporation by authority of its Board of Directors. Before me:



Corinne E Dahl  
Notary Public for Oregon  
My Commission expires November 6, 2018

Accepted on behalf of the Oregon Department of Transportation

For training purposes.

**Parcel 1 - Permanent Easement for Highway Right of Way Purposes**

A parcel of land lying in the Sebastian Brutscher D.L.C. No. 51, Township 3 South, Range 2 West, W.M., Yamhill County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Fernwood Grange No. 770, recorded September 7, 1945 in Book 130, Page 511 of Yamhill County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of Market Road No. 5 (Springbrook Road), which center line is described as follows:

Beginning at Engineer's center line Station "SO" 10+00.00, said station being at the Southeast corner of the Richard Everest Donation Land Claim No. 52, Township 3 South, Range 2 West, W.M.; thence along the East line of said D.L.C. North 1°51'45" East 5,818.56 feet to Engineer's center line Station "SO" 68+18.56.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Easterly Side of Center Line
"SO" 52+00.00		"SO" 53+10.00	41.00
"SO" 53+10.00		"SO" 53+70.00	41.00 in a straight line to 44.00
"SO" 53+70.00		"SO" 55+00.00	44.00

Bearings are based on County Survey No. 12330, filed October 1, 2007, Yamhill County, Oregon.

This parcel of land contains 1,644 square feet, more or less, outside the existing right of way.

**Parcel 2 - Permanent Easement for Slopes, Water, Gas, Electric and Communication Service Lines, Fixtures and Facilities**

A parcel of land lying in the Sebastian Brutscher D.L.C. No. 51, Township 3 South, Range 2 West, W.M., Yamhill County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Fernwood Grange No. 770, recorded September 7, 1945 in Book 130, Page 511 of Yamhill County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of Market Road No. 5 (Springbrook Road), which center line is described in Parcel 1.

For training purposes.

EXHIBIT A - Page 2 of 3

File 7588512  
Drawing 11B-7-4  
05/27/2014

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Easterly Side of Center Line
"SO" 51+75.00		"SO" 53+13.00	54.00 in a straight line to 51.00
"SO" 53+13.00		"SO" 53+20.00	51.00
"SO" 53+20.00		"SO" 53+70.00	51.00 in a straight line to 54.00
"SO" 53+70.00		"SO" 55+00.00	54.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 1,298 square feet, more or less.

**Parcel 3 - Temporary Easement for Work Area (5 Years of duration of project, whichever is sooner)**

A parcel of land lying in the Sebastian Brutscher D.L.C. No. 51, Township 3 South, Range 2 West, W.M., Yamhill County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Fernwood Grange No. 770, recorded September 7, 1945 in Book 130, Page 511 of Yamhill County Record of Deeds; the said parcel being that portion of said property described as follows:

Beginning on the Easterly right of way of Market Road No. 5 (Springbrook Road) at a point opposite and 30.00 feet Easterly of the center line of said Springbrook Road at Engineer's Station "SO" 53+20.00; thence Easterly at right angles to said center line 21.00 feet; thence Southerly parallel with said center line to Engineer's Station "SO" 53+13.00; thence Easterly at right angles to said center line 4.00 feet; thence Northeasterly in a straight line to a point opposite and 65.00 feet Easterly of said center line at Engineer's Station "SO" 53+20.00; thence Easterly at right angles to said center line 35.00 feet; thence Southerly parallel with said center line to the Southerly line of that property described in that Bargain and Sale Deed to Fernwood Grange No. 770, recorded September 7, 1945 in Book 130, Page 511 of Yamhill County Record of Deeds; thence Westerly along said Southerly line to the Easterly right of way of said Springbrook Road; thence Northerly along said Easterly right of way to the point of beginning.

EXCEPT therefrom Parcel 1.

This parcel of land contains 2,261 square feet, more or less.

For training purposes.

EXHIBIT A - Page 3 of 3

File 7588512  
Drawing 11B-7-4  
05/27/2014

**Parcel 4 - Temporary Easement for Work Area (5 Years of duration of project, whichever is sooner)**

A parcel of land lying in the Sebastian Brutscher D.L.C. No. 51, Township 3 South, Range 2 West, W.M., Yamhill County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Fernwood Grange No. 770, recorded September 7, 1945 in Book 130, Page 511 of Yamhill County Record of Deeds; the said parcel being that portion of said property lying Northerly of a line at right angles to the center line of Market Road No. 5 (Springbrook Road) at Engineer's Station "SO" 53+33.00 and included in a strip of land variable in width, lying on the Easterly side of said center line, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Easterly Side of Center Line
"SO" 53+33.00		"SO" 53+63.00	64.00
"SO" 53+63.00		"SO" 55+00.00	75.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 2,111 square feet, more or less.





For training purposes.

IN 2020 ODOT ACQUIRED A LOT OF EASEMENTS.

THIS IS HIGHER THAN NORMAL FOR A YEAR DUE TO THE ADA RAMP RECONSTRUCTION INITIATIVE THAT IS CURRENTLY GOING ON. 2021 WILL EVEN BE MORE.

The below pivot reflects active easements in RITS with dates entered into the system for calendar year 2020

Easement Type	Num. of Easements
<b>RLPEaltems*</b>	<b>979</b>
Access	6
Bicycle/Pedestrian Facility	5
Clear Zone	1
Drainage Facilities	42
Highway Right of Way Purposes	331
Other	26
Rip Rap and Revetment	8
Sidewalk	155
Sign	31
Slide Correction	1
Slopes	212
Traffic Control Facilities	9
Wall	6
Water, Gas, Electric and Communication Service Lines, Fixtures and Facili	146
<b>RLTEaltems**</b>	<b>1,548</b>
Access	12
Detour	8
Drainage Facilities	2
Driveway/Road Approach Reconnection	107
Other	153
Road Approach	5
Slopes	13
Traffic Control Facilities	2
Turbidity Monitoring	6
Utility Pole	1
Work Area	1,239
<b>Grand Total</b>	<b>2,527</b>

**Legend**  
\*RLPEaltems= Permenant type easement  
\*\*RLTEaltems= Temporary type easement

