**HIGHWAY EASEMENT DEED**

**THIS DEED, made this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019 by and between the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, hereinafter referred to as the Department, and the STATE OF OREGON DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the Grantee:**

**WITNESSETH:**

**WHEREAS, the Grantee has filed application under the provisions of Title 23, United States Code, Section 317, for the right-of-way of a highway over certain land owned by the United States in Linn County in the State of Oregon, which is under the jurisdiction of the United States Department of Agriculture Forest Service, hereinafter referred to as the Forest Service; and**

**WHEREAS, the Western Federal Lands Highway Division, Division Director, pursuant to delegation of authority from the Secretary of Transportation and the Federal Highway Administration, has determined that an easement over the land covered by the application is reasonably necessary for a highway right of way over a portion of US 20; and**

**WHEREAS, the Forest Service has agreed to the transfer by the Department of an easement over the land to the Grantee;**

**NOW THEREFORE, the Department, as authorized by law, does hereby grant to the Grantee an easement for a right of way for the operation and maintenance of a public highway and use of the space above and below the established grade line of the highway pavement for highway purposes on, over, across, in, and upon the following described land of the United States within the Willamette National Forest:**

**DESCRIPTION**

**Willamette Meridian**

**T.13 S., R.05 E.**

**Section 29, the NE 1/4 NE1/4**

**Section 32, the N1/2 NE1/4**

**Total area herein described contains 7.62 acres, more or less.**

**Subject, however, to the terms, conditions, and covenants as listed in “Exhibit 01”, attached hereto and made a part hereof:**

 **IN WITNESS WHEREOF, I, Ricardo Suarez, Division Director, pursuant to delegations of authority from the Secretary of Transportation and the Federal Highway Administrator, by virtue of authority in me vested by law, have hereunto subscribed my name as of the day and year first above written.**

**UNITED STATES OF AMERICA**

**DEPARTMENT OF TRANSPORTATION**

**FEDERAL HIGHWAY ADMINISTRATION**

**By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Ricardo Suarez, Division Director, WFLHD**

**STATE OF WASHINGTON )**

 **) ss:**

**COUNTY OF CLARK )**

**I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a Notary Public in and for the State of Washington, do hereby certify that on this the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019, before me personally appeared Ricardo Suarez, Division Director, Western Federal Lands Highway Division, Federal Highway Administration, and acknowledged that the foregoing instrument bearing the date of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019, was executed by his in his official capacity and by authority in his vested by law, for the purposes and intents in said instrument described and set forth, and acknowledged the same to be his free act and deed as Division Director, Western Federal Lands Highway Division, Federal Highway Administration.**

**Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019.**

**(SEAL) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Notary Public**

 **My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**

**In compliance with the conditions set forth in the foregoing deed, the State of Oregon Department of Transportation certifies and, by acceptance of this deed, accepts the right-of-way over certain land herein described and agrees for itself, its successors, and assigns forever to abide by the conditions set forth in said deed.**

**BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**TITLE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**STATE OF OREGON )**

 **) ss:**

**LINN COUNTY )**

**I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a Notary Public in and for the State of Oregon, hereby certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in \_\_\_\_\_\_\_\_\_\_\_\_\_ capacity as**

 **(name) (his/her)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, executed the same voluntarily on this day.**

 **(Official Position)**

**Given under my hand and seal of office this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019.**

**(SEAL) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Notary Public**

 **My commission expires \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**