

REVIEWED  
LEGAL COUNSEL

After recording return to:  
Deschutes County Road Department  
61150 S.E. 27<sup>th</sup> Street  
Bend, Oregon 97702

For Recording Stamp Only

TEMPORARY CONSTRUCTION EASEMENT

**Jeffrey L. Mishler who acquired title as Jeffery L. Mishler and Elizabeth M. Mishler, as tenants by the entirety**, Grantor, does hereby grant to Deschutes County, Oregon, Grantee, its successors and assigns, a Temporary Construction Easement for construction purposes, over and across the Grantor's property as described in Exhibit "A" and depicted on Exhibit "B", attached hereto and by this reference incorporated herein.

The true consideration for this conveyance is **Nine Hundred Twenty-Nine Dollars (\$929.00)** and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

The Grantee's use of the easement shall include the right for the Grantee, its employees, agents, assigns, contractors and employees of contractors, to enter and use the easement area for construction work in connection with the Hunnell Road: Loco Road to Tumalo Road Improvement project.

The term and duration of this temporary construction easement shall be from start date of construction to the completion of the Hunnell Road: Loco Road to Tumalo Road Improvement project, or two (2) calendar years following the date all required signatures are obtained, whichever is sooner.


This document is intended to grant easements on the property described, not to convey fee title or any interest in the underlying property except as expressly stated herein. The easements granted shall not prevent Grantors from the use of said property provided, however, that such use shall not be permitted to interfere with the rights herein granted. Grantor shall not be permitted to endanger the lateral support of any facilities constructed within or adjacent to the easements granted herein.


Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property and the construction or improvement in the public way.

Grantors hereby covenant to and with Grantee that they are the owners of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and

will warrant and defend the easement rights herein granted from all lawful claims whatsoever, except as stated herein.

DATED this 18<sup>th</sup> day of March, 2022.

  
\_\_\_\_\_  
Jeffrey L. Mishler who acquired title  
as Jeffrey L. Mishler

  
\_\_\_\_\_  
Elizabeth M. Mishler  
title as  
Elizabeth  
M. Mishler

STATE OF OREGON       )  
  )  
County of Deschutes    )

Before me, a Notary Public, personally appeared Jeffrey L. Mishler who acquired title as Jeffery L. Mishler, acknowledged the foregoing instrument.


Dated this 18<sup>th</sup> day of March, 2022.

*Sarah Johnson*

NOTARY PUBLIC FOR OREGON  
My Commission Expires: 8/14/2023



STATE OF OREGON       )  
  )  
County of Deschutes    )

Before me, a Notary Public, personally appeared Elizabeth E. Mishler who acquired title as Elizabeth M. Mishler ,  
acknowledged the foregoing instrument.

Dated this 18<sup>th</sup> day of March, 2022.

*Sarah Johnson*

NOTARY PUBLIC FOR OREGON  
My Commission Expires: 8/14/2023



ACCEPTANCE

Deschutes County, acting by and through its Board of County Commissioners, does hereby accept the foregoing Temporary Construction Easement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

\_\_\_\_\_  
PATTI ADAIR, CHAIR

\_\_\_\_\_  
ANTHONY DEBONE, VICE CHAIR

ATTEST:

\_\_\_\_\_  
PHIL CHANG, COMMISSIONER

\_\_\_\_\_  
Recording Secretary

STATE OF OREGON        )  
                                  ) SS.  
County of Deschutes    )

Before me, a Notary Public, personally appeared Patti Adair, Anthony DeBone, and Phil Chang, the above-named Board of County Commissioners of Deschutes County, Oregon, acknowledged the foregoing instrument, on behalf of Deschutes County, Oregon.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: \_\_\_\_\_

**EXHIBIT A**  
Deschutes County Road Department  
Hunnell Road Improvement Project: Loco Road to Tumalo Road  
File Number 005B  
Tax Lot 161233B00100

**PARCEL 1 – TEMPORARY CONSTRUCTION EASEMENT**

A parcel of land lying in LOT 1, BLOCK 2, "POHAKU RANCH" in the Northwest one-quarter of Section 33, Township 16 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Jeffery L. Mishier and Elizabeth M. Mishier, as tenants by the entirety, recorded August 7, 2020 as Instrument No. 2020-39381, Deschutes County Official Records, said parcel described as follows:

COMMENCING at a point on the easterly right of way line of Hunnell Road, said point being South 45°04'00" West, 1088.59 feet of the North one-quarter corner of Section 33, Township 16 South, Range 12 East, Willamette Meridian, said point also being 30.00 feet easterly when measured at right angles to Hunnell Road Centerline Station 147+42.15 per Deschutes County Survey No. 20520;

Thence leaving said easterly right of way line North 40°55'45" East, 77.69 feet to the BEGINNING of this description;

Thence continuing North 40°55'45" East a distance of 150.00 feet to a point;

Thence South 49°04'15" East, 15.00 feet to a point;

Thence South 40°55'45" West, 150.00 feet to a point;

Thence North 49°04'15" West, 15.00 feet to the BEGINNING of this description.

Containing 2,250 square feet, more or less.

See map attached as Exhibit "B", which is made a part hereof.

Bearings, Right of Way, Stationing and Monumentation are based on "Control, Recovery, and Retracement Map" filed in the office of the Deschutes County Surveyor's Office May 25, 2021 as County Survey No. 20520.



RENEWS: 12-31-2021

Signature: 09-14-2021

# EXHIBIT "B"

LOCATED IN LOT 1, BLOCK 2, "POHAKU RANCH" IN THE NORTHWEST ONE QUARTER OF SECTION 33, TOWNSHIP 16 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	LONG CHORD
C1	450.00'	21°30'40"	168.95'	N32°27'08"E, 167.96'
C2	510.38'	19°05'00"	169.99'	N33°39'58"E, 169.21'



SCALE  
1" = 100'

LOT 4,  
BLOCK 1  
"POHAKU RANCH"

LOT 5,  
BLOCK 1  
"POHAKU RANCH"

RIGHT OF WAY DEDICATION  
± 14,812 SQ.FT.

POINT OF BEGINNING  
PARCEL 1  
STA: 147+42.15  
OFF: 30.00' R

FROM WHICH THE NORTH  
ONE-QUARTER CORNER  
OF SECTION 33, T16S,  
R12E, W.M., BEARS  
N45°04'00"E, 1088.59'

## LEGEND



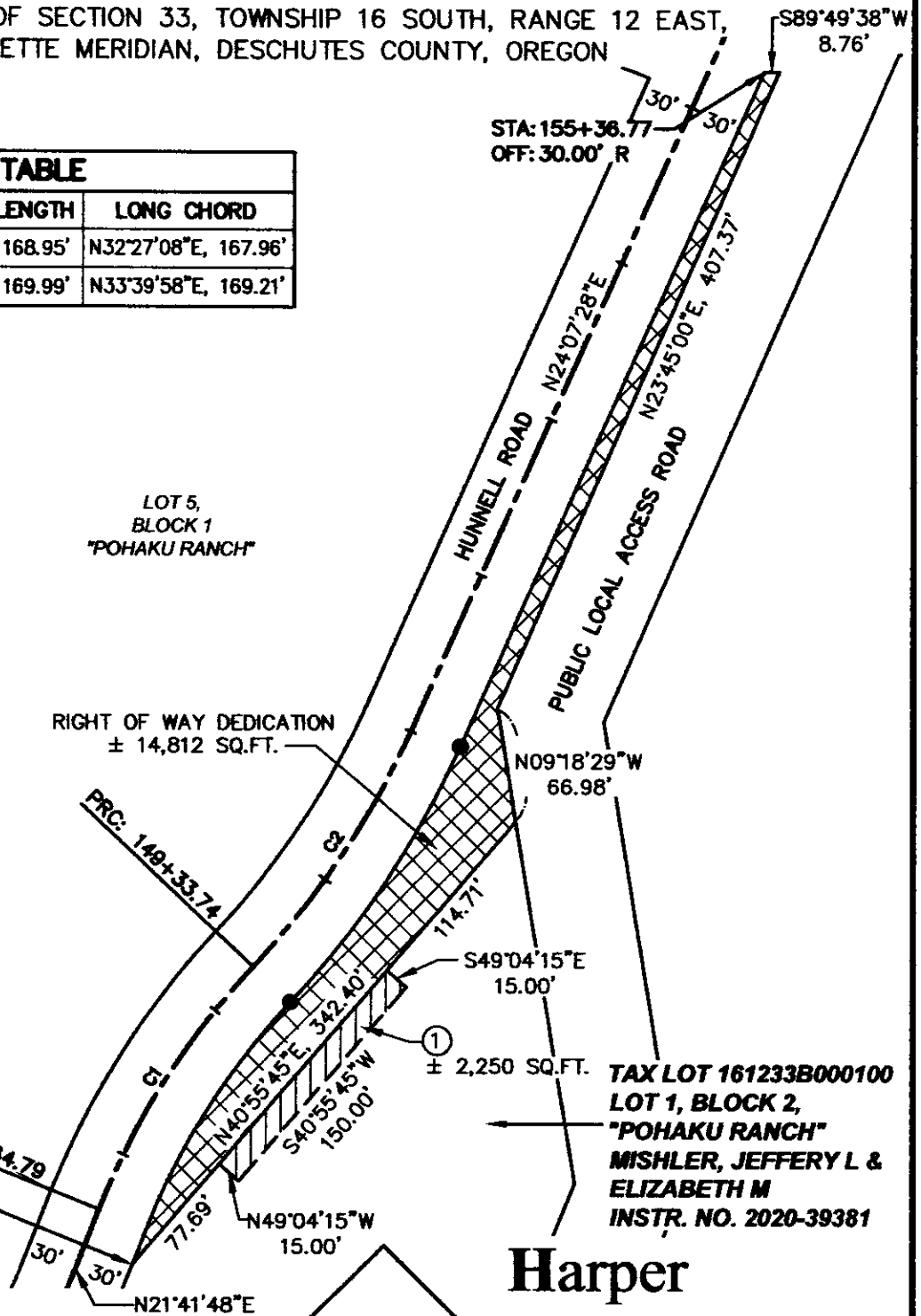
① TEMPORARY  
CONSTRUCTION EASEMENT  
± 2,250 SQ.FT.



RIGHT OF WAY DEDICATION  
± 14,812 SQ.FT.

● - FOUND MONUMENT PER CS20520

SEE ATTACHED LEGAL  
DESCRIPTION



TAX LOT 161233B000100  
LOT 1, BLOCK 2,  
"POHAKU RANCH"  
MISHLER, JEFFERY L &  
ELIZABETH M  
INSTR. NO. 2020-39381

**Harper Houf Peterson Righellis Inc.**

ENGINEERS • PLANNERS  
LANDSCAPE ARCHITECTS • SURVEYORS

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