

4764

BARGAIN AND SALE DEED

2338

M-66

KNOW ALL MEN BY THESE PRESENTS, That the State of Oregon, by and through its State Highway Commission, Grantor, for the consideration of the sum of One Hundred and No/100 Dollars (\$100.00), to it paid, has bargained and sold and by these presents does grant, bargain, sell and convey unto Walter L. Pryar and Donna M. Pryar, husband and wife, Grantees, the following described premises, to wit:

A parcel of land lying in Lot 5, Block 106, BUENA VISTA ADDITION to the City of Klamath Falls, Klamath County, Oregon, and being a portion of that property described in that certain deed to State of Oregon, by and through its State Highway Commission, recorded in Book 284, Page 346 of Klamath County Record of Deeds; the said parcel being that portion of said Lot 5, lying South-easterly of a line which is parallel to and 20 feet Northwesterly of the South-easterly line of said Lot 5, and lying Easterly of a line which is parallel to and 60 feet Easterly of the center line of the relocated The Dalles-California Highway, which center line is described in said State of Oregon deed.

The parcel of land to which this description applies contains 1300 square feet, more or less.

Provided, however, there is reserved to the Grantor, and waived by the Grantees, all right of access between the above described real property and the right of way of the relocated The Dalles-California Highway abutting on said parcel, which public highway is further identified as State Highway No. 4. This reservation shall run with the land and shall not be subject to modification, cancellation or destruction by adverse user or estoppel, no matter how long continued. Nothing in this conveyance contained shall be construed as conveying any estate, right, title or interest in and to the public highway right of way or any rights of reversion therein or thereto.

It is understood that this conveyance is delivered upon the express condition that the above described land shall never be used for the placing, maintenance or display of any advertising sign, bill or poster, within view of the relocated The Dalles-California Highway except such thereof as may advertise the use to which the property herein conveyed is devoted, or for the sale or lease of said property or any portion thereof. In the event of violation of this condition the Grantor herein shall have the right through its authorized officers, agents or employees to enter upon the said property and to remove, destroy or obliterate any offending sign, bill or poster, without liability for damage or injury thereto, and to recover the cost thereof from the owner of the property. The rights herein reserved shall not be exclusive and shall not be in derogation of any other right or remedy which the Grantor may have. The restrictions, rights and conditions herein contained shall run with the land and shall forever bind the Grantees, their heirs and assigns.

This conveyance is made, executed and delivered upon the grounds and for the reason that the real property hereinabove described is no longer needed, required or useful for highway purposes.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever.

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IN WITNESS WHEREOF, the State of Oregon, by and through its State Highway Commission, has caused the seal of said Commission to be affixed hereunto and these presents to be executed on this the 8th day of March, 1966.

ATTEST:

Floyd Query
Secretary

APPROVED:

W. K. Laboe
Assistant State Highway Engineer

APPROVED AS TO FORM:

James R. Yuhn
Chief Counsel
Staff Attorney

State of Oregon

by and through its

State Highway Commission

By Glenn L. Jackson
As Chairman

By K. N. Fridley
As Commissioner

By David B. Simpson
As Commissioner

STATE OF OREGON }

County of Marion }

ss

On this 8th day of March, 1966, before me appeared Glenn L. Jackson, K. N. Fridley and David B. Simpson, to me personally known, who, each being duly sworn, did say that he, the said Glenn L. Jackson, is Chairman of the State Highway Commission of the State of Oregon, and that he, the said K. N. Fridley and he, the said David B. Simpson is State Highway Commissioner of the State of Oregon; that the seal affixed to said instrument is the seal of the State Highway Commission, and that the said instrument is signed and sealed in behalf of said State by said Commission, and that the said Chairman and the said Commissioners acknowledge said instrument to be the free act and deed of said State, by said State Highway Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Cecil H. Head
Notary Public for Oregon

My commission expires: November 5, 1966

ba/wo

STATE OF OREGON } ss
County of Klamath }

Filed for record at request of:

Oregon State Highway Comm.on this 18 day of March A. D. 1966at 11:00 A. M. and dulyrecorded in Vol. M-66 of DeedsPage 2338

James R. Yuhn, County Clerk
By James R. Yuhn Deputy
Fee \$3.00 Collect

