

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, Ruth H. Teasdel, a single woman, herein-after referred to as "Owner", for the consideration of the sum of Twenty Seven Thousand Seven Hundred Twenty-three and No/100 Dollars (\$27,723.00) to me paid, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do bargain, sell and convey unto the State of Oregon, by and through its State Highway Commission, hereinafter referred to as "State", the following described premises, to wit:

PARCEL 1

A parcel of land lying in Sections 15, 16, 22, 26, 27, 35 and 36, Township 38 South, Range 8 East, W. M., Klamath County, Oregon; the said parcel being that portion of said sections included in a strip of land variable in width, lying on each side of the following described center line:

Beginning at Engineer's center line Station 115+58.84 at which station the Northwestern line of said strip of land lies at right angles to said center line, said station being 300.25 feet South and 572.14 feet West of the East quarter corner of said Section 16; thence on a spiral curve left (the long chord of which bears South 20° 43' 30" East) 400 feet; thence on a 5729.58 foot radius curve left (the long chord of which bears South 26° 04' East) 801.67 feet; thence on a spiral curve left (the long chord of which bears South 31° 24' 30" East) 400 feet; thence South 32° 04' 30" East, 17,894.85 feet; thence on a spiral curve left (the long chord of which bears South 33° 24' 30" East) 400 feet; thence on a 2864.79 foot radius curve left (the long chord of which bears South 43° 41' East) 760.83 feet; thence on a spiral curve left (the long chord of which bears South 53° 57' 30" East) 400 feet; thence South 55° 17' 30" East, 1083.81 feet to Engineer's center line Station 337+00, which station is 133.37 feet South and 1319.36 feet East of the Southwest corner of said Section 36.

The widths in feet of the strip of land above referred to are as follows:

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Northeasterly</u> <u>Side of Center Line</u>	<u>Width on Southwesterly</u> <u>Side of Center Line</u>
115+58.84	119+58.84	40 in a straight line to 100	40	
119+58.84	123+00	100	40 in a straight line to 70	
123+00	127+60.51	100 in a straight line to 70	70	
127+60.51	131+60.51	70 in a straight line to 90	70	
131+60.51	136+50	90 taper to 140	70	
136+50	139+00	140 taper to 220	70	
139+00	141+50	220 taper to 340	70	
141+50	147+50	70	70	
147+50	150+00	70 taper to 90	70 taper to 100	
150+00	152+50	90 taper to 75	100 taper to 75	
152+50	187+00	75	75	
187+00	188+00	75 taper to 110	75	
188+00	195+00	110 taper to 140	75 taper to 115	
195+00	198+50	140 taper to 170	115	
198+50	203+00	170 taper to 130	115 taper to 120	
203+00	211+00	130 taper to 110	120 taper to 60	
211+00	215+00	110	60 taper to 100	
215+00	228+00	110	100	
228+00	233+00	110 taper to 75	100	
233+00	238+00	75 taper to 100	100	
238+00	240+00	100	100	
240+00	242+00	100	100 taper to 110	
242+00	253+00	100	110	
253+00	255+00	100	110 taper to 70	
255+00	260+00	100	70 taper to 100	
260+00	262+00	100 taper to 120	100	
262+00	269+00	120 taper to 80	100	
269+00	273+00	80	100 taper to 115	
273+00	277+00	80	115	
277+00	281+00	80 taper to 110	115	

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<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Northeasterly</u> <u>Side of Center Line</u>	<u>Width on Southwesterly</u> <u>Side of Center Line</u>
281+00	284+00		110	115
284+00	289+00		110	115 taper to 140
289+00	295+00		110	140 taper to 120
295+00	296+00		110	120 taper to 90
296+00	302+00		110 taper to 150	90
302+00	308+00		150 taper to 70	90
308+00	310+55.36		70 taper to 90	90
310+55.36	314+55.36	90 in a straight line to 110		90 in a straight line to 80
314+55.36	316+50	110 in a straight line to 140		80
316+50	322+16.19	140 in a straight line to 90		80
322+16.19	326+16.19	90		80 in a straight line to 90
326+16.19	337+00	90		90

(Bearings used herein are based upon the Oregon Co-ordinate System, South Zone.)

The above strip of land contains 91.7 acres outside of the existing right of way.

As a part of the consideration hereinabove stated, there is also bargained, sold, conveyed and relinquished to State all existing, future or potential common law or statutory abutter's easements of access between Parcel 1 hereinabove described and all of the Owner's remaining real property; EXCEPT, however,

Reserving, for service of the said remaining property, rights of access from Owner's remaining property to the highway right of way at each of the following places and for the following width:

<u>Hwy. Engr's Sta.</u>	<u>Side of Hwy.</u>	<u>Width</u>	<u>Purpose</u>	<u>Constructed By:</u>
118+25	West	35 feet	Unrestricted	State
123+10	West	35 feet	Unrestricted	State
125+35	East	35 feet	Unrestricted	State
140+10	East	35 feet	Unrestricted	State
141+70	East	35 feet	Unrestricted	State
142+25	West	35 feet	Unrestricted	State
147+75	West	35 feet	Unrestricted	Owner
153+00	East	35 feet	Unrestricted	Owner
182+70	East	35 feet	Unrestricted	State
181+60	West	35 feet	Unrestricted	State
188+35	East	35 feet	Unrestricted	State
197+00	West	35 feet	Unrestricted	State
220+50	East	35 feet	Unrestricted	Owner
221+50	West	35 feet	Unrestricted	Owner
237+00	West	35 feet	Unrestricted	Owner
251+00	East	35 feet	Unrestricted	State
262+00	West	35 feet	Unrestricted	State
281+30	West	35 feet	Unrestricted	State
281+50	East	35 feet	Unrestricted	State
295+00	East	35 feet	Unrestricted	State
298+00	West	35 feet	Unrestricted	State
318+00	West	35 feet	Unrestricted	Owner
323+00	East	35 feet	Unrestricted	State
355+00	East	35 feet	Unrestricted	State

State is granted the right at any future time when the Owner's remaining real property abutting the parcel above conveyed is no longer used primarily for farm or agricultural purposes and the continued use of the above reserved access points constitute a hazard to the traveling public, to construct or otherwise provide a public frontage road or roads; whereupon all rights of access hereinabove reserved to and from the highway that are on or adjacent to any such frontage road or roads shall cease, but the Owner, her heirs and assigns, shall have access to the frontage road or roads for any purpose upon obtaining a Permit from the State under the applicable statutes and regulations governing the same. Said road or roads shall be connected to the main highway or to other public ways only at such places as State may select.

TO HAVE AND TO HOLD the above described premises with their appurtenances, in fee simple, unto State, its successors and assigns forever.

ALSO as a part of the consideration hereinabove stated, there is hereby granted unto 19

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State the right, license and easement for the permanent relocation of ditch and/or drainage facilities over and across the following described parcels of land, to wit:

PARCEL 2 (Original Parcel 3)

A parcel of land lying in the SE $\frac{1}{4}$  of Section 16, the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 15 and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 22, Township 38 South, Range 8 East, W. M., Klamath County, Oregon; the said parcel being a strip of land extending from a line at right angles to the center line described in Parcel 1 at Engineer's Station 123+00 to a line at right angles to said center line at Engineer's Station 141+50, said strip of land being 100 feet in width lying between lines which are parallel to and 70 feet Southwesterly and 170 feet Southwesterly of said center line.

The parcel of land to which this description applies contains 4.2 acres, more or less.

PARCEL 3 (Original Parcel 4)

A parcel of land lying in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 22, Township 38 South, Range 8 East, W. M., Klamath County, Oregon; the said parcel being a strip of land extending from a line at right angles to the center line described in Parcel 1 at Engineer's Station 145+00 to a line at right angles to said center line at Engineer's Station 147+50, said strip of land being 20 feet in width lying between lines which are parallel to and 70 feet Northeasterly and 90 feet Northeasterly of said center line.

The parcel of land to which this description applies contains 0.11 acre, more or less.

This instrument does not grant or convey any right or title to the land described above as Parcels 2 and 3, except for the purpose of reconstructing and relocating drainage facilities thereon; it being further understood that nothing herein contained shall be construed to impose any duty, obligation or liability upon State to operate or maintain said facilities.

ALSO as a part of the consideration hereinabove stated, there is hereby granted unto State a temporary right, license, permit and easement, for the duration of the project or for two years after award of grading contract to enter upon the following described parcels of land for the purpose of relocating and reconstructing a drainage and/or irrigation facility over Parcels 4 and 5, to wit:

PARCEL 4 (Original Parcel 5)

A parcel of land lying in Section 22, Township 38 South, Range 8 East, W. M., Klamath County, Oregon; the said parcel being a strip of land extending from a line at right angles to the center line of the (Future) Lake of the Woods Highway at Engineer's Station 152+00 to a line at right angles to said center line at Engineer's Station 183+00, said strip of land being 20 feet in width lying between lines which are parallel to and 75 feet Northeasterly and 95 feet Northeasterly of said center line which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 1.43 acres, more or less.

PARCEL 5 (Original Parcel 6)

A parcel of land lying in Section 22, Township 38 South, Range 8 East, W. M., Klamath County, Oregon; the said parcel being a strip of land extending from a line at right angles to the center line of the (Future) Lake of the Woods Highway at Engineer's Station 152+00 to a line at right angles to said center line at Engineer's Station 187+00, said strip of land being 20 feet in width lying between

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lines which are parallel to and 75 feet Southwesterly and 95 feet Southwesterly of said center line which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 1.59 acre.

ALSO as a part of the consideration hereinabove stated there is hereby granted unto State the right, license and permit to enter the following described land for the purpose of removing therefrom earth, rock, sand, gravel or other material and deposits found upon or under said real property, for the duration of the project or for two years after award of grading contract, said property being described as follows, to wit:

PARCEL 6 (Original Parcel 7)

A parcel of land lying in the W $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 22, Township 38 South, Range 8 East, W. M., Klamath County, Oregon; the said parcel being that portion of said W $\frac{1}{4}$ NW $\frac{1}{4}$  included in a strip of land extending from a line at right angles to the center line described in Parcel 1 at Engineer's Station 143+00 to a line at right angles to said center line at Engineer's Station 154+00, said strip of land being 900 feet in width lying between lines which are 150 feet Northeasterly of said center line and 750 feet Southwesterly of said center line.

EXCEPT therefrom Parcels 1, 4, 5 and 6.

The parcel of land to which this description applies contains 18.2 acres, more or less.

As a part of the consideration the Grantee agrees that as a part of any future highway construction the following will be built or constructed:

1. Build a fence along the right of way as follows:
2. Construct cattle passes double 10 X 8 with open design center wall at Station 187+50 and single 10 X 8 at ~~186+20~~ 186+20.324+50 *at w.k. 187*
3. Place irrigation box culverts 12 feet by 6 feet at Station 140+50 and 186+20.
4. Irrigation culverts and revisions to provide for irrigation box culverts.

Grantor shall have access to said cattle passes and irrigation box culverts, provided the Grantor shall maintain the wing fences along the approaches to said cattle passes and culverts to prevent access from said approaches to the remaining portions of said right of way.

TO HAVE AND TO HOLD the said rights, license, permit and easements hereinabove set forth unto the State, its successors and assigns.

And I, the said Owner, do hereby covenant to and with the said State, its successors and assigns, that I am the owner in fee simple of said premises; that they are free from all encumbrances, and that I will warrant and defend the property herein conveyed and the easements and rights herein granted, from all lawful claims whatsoever.

It is expressly intended that the covenants, burdens, restrictions and reservations contained herein shall run with the land and shall forever bind the Grantor, her heirs and assigns.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 8th day of

September, 1967.

*Ruth H. Zenzel* (SEAL) 21

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STATE OF OREGON,

County of Klamath } ss

On this 8<sup>th</sup> day of September, 1967, personally came before me, a Notary Public in and for said County and State, the within named Ruth H. Teasdel, a single woman, to me personally known to be the identical person described in and who executed the within instrument, and who personally acknowledged to me that she executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and official seal the day and year last above written.

Winston W. Keith  
Notary Public for Oregon

My Commission expires: March 30, 1969

tk/ha

STATE OF OREGON, } ss  
County of Klamath }

Filed for record at request of:

Klamath County Engineer

on this 12 day of September A. D. 19 67

" 3:55 o'clock P. M. and duly

recorded in Vol. 17267 of Deeds

pg. 7067

Larthy Rogers  
Deputy

Cap 7.50

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