

ORIGINAL

33444

File 39970  
VOL. 169 PAGE 5763

WARRANTY DEED

68-1000 *not*  
KNOW ALL MEN BY THESE PRESENTS, That Geary Bros., a partnership consisting of Edward A. Geary, Roland W. Geary, Elizabeth Gallogly Geary, Martha Dorman Smith, as Trustee under the Will of Arthur M. Geary, deceased, Richard Geary, Susan Geary Roberts, Dorothea Geary Yellott and Alice Geary Kilham, hereinafter called "Grantor", for the consideration of the sum of One and no-100ths- - - -

- - - Dollars, to Grantor paid, has bargained and sold and by these presents does bargain, sell and convey unto the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "Grantee", the following described premises, to wit:

A parcel of land lying in Section 1, Township 39 South, Range 8 East, W.M., Klamath County, Oregon, and being a portion of that property described in those deeds to Geary Bros., recorded in Book 353, Page 301 and in Book 322, Page 357 of Klamath County Record of Deeds; the said parcel being that portion of said property 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 330+00, said station being 309.67 feet North and 1903.26 feet West of the North quarter corner of said Section 1; thence South 55° 17' 30" East 5000 feet to Engineer's center line Station 380+00.

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

Station	to	Station	Width on Northeasterly Side of Center Line	Width on Southwesterly Side of Center Line
348+00		359+00	90 taper to 150	90
359+00		366+00	150 taper to 80	90
366+00		368+90	80	90
368+90		370+20	80	90 taper to 215
370+20		375+00	80	80

Bearings are based upon the Oregon Co-ordinate System, South Zone.

The parcel of land to which this description applies contains 1.35 acres, more or less.

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

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

Hwy. Engr's Sta.	Width	Side of Hwy.	Purpose
368+35	40 feet	Northerly	Unrestricted
370+20	40 feet	Southerly	Unrestricted

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TO HAVE AND TO HOLD the said premises with their appurtenances, unto Grantee, its 5764  
successors and assigns forever.

And said Grantor does hereby covenant to and with Grantee, its successors and  
assigns, that it is the owner in fee simple of said premises; that they are free from  
all encumbrances and that it will warrant and defend the same from all lawful claims  
whatsoever.

It is expressly intended that the covenants, burdens, restrictions and reserva-  
tions contained herein shall run with the land and shall forever bind Grantor, its suc-  
cessors and assigns.

IN WITNESS WHEREOF, Geary Bros., a partnership consisting of Edward A. Geary,  
Roland W. Geary, Elizabeth Gallogly Geary, Martha Dorman Smith, as Trustee under the  
Will of Arthur M. Geary, deceased, Richard Geary, Susan Geary Roberts, Dorothea Geary  
Yellott and Alice Geary Kilham, has caused its name to be hereto subscribed by its  
duly authorized officers this 7 day of May, 1969.

GEARY BROS.

By Edward A. Geary  
Edward A. Geary

By Roland W. Geary  
Roland W. Geary

By Alice Geary Kilham  
Alice Geary Kilham

By Elizabeth Gallogly Geary  
Elizabeth Gallogly Geary

By Martha Dorman Smith  
Martha Dorman Smith, as Trustee under  
the Will of Arthur M. Geary, deceased

By Richard Geary  
Richard Geary

By Susan Geary Roberts  
Susan Geary Roberts

By Dorothea Geary Yellott  
Dorothea Geary Yellott

STATE OF OREGON, )  
County of Klamath. ) ss  
May 7, 1969,

Personally appeared the above named MARTHA DORMAN SMITH as Trustee  
under the Will of Arthur M. Geary, Deceased, who acknowledged herself as  
said Trustee to be a member of GEARY BROS., a partnership, and acknowledged  
the foregoing instrument to be her voluntary act.

Before me:

STATE OF OREGON )  
County of Klamath. ) ss  
May 7, 1969,

Personally appeared Edward A. Geary who acknowledged himself to be a  
member of GEARY BROS., a partnership, and acknowledged the foregoing instru-  
ment to be his voluntary act.

Before me:

Willie Geary  
Notary Public for Oregon.  
My Commission Expires: Nov 20, 1971

Willie Geary  
Notary Public for Oregon.  
My Commission Expires: Nov 20, 1971

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STATE OF OREGON, )  
County of Multnomah. ) ss

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May 16, 1969,

Personally appeared the above-named Elizabeth Gallogly Geary, who acknowledged herself to be a member of GEARY BROS., a partnership, and acknowledged the foregoing instrument to be her voluntary act.

Before me:

Bernice E.V. Guard  
Notary Public for Oregon.  
My Commission Expires: August 13, 1970

STATE OF WASHINGTON, )  
County of Clark. ) ss

May 23, 1969,

Personally appeared the above-named Richard Geary, who acknowledged himself to be a member of Geary Bros., a partnership, and acknowledged the foregoing instrument to be his voluntary act.

Before me:

John O. Ford  
Notary Public for Washington.  
My Commission Expires: Jan 6, 1972

STATE OF NEW YORK, )  
County of Erie. ) ss

May June 2, 1969,

Personally appeared the above-named Susan Geary Roberts, who acknowledged herself to be a member of GEARY BROS., a partnership, and acknowledged the foregoing instrument to be her voluntary act.

Before me:

William D. Brucker  
Notary Public for New York.  
My Commission Expires: March 30, 1970  
WILLIAM D. BRUCKER  
Notary Public, State of New York  
County of Erie

STATE OF MINNESOTA, )  
County of Hennepin. ) ss

May 27, 1969,

Personally appeared the above-named Dorothea Geary Yellott, who acknowledged herself to be a member of GEARY BROS., a partnership, and acknowledged the foregoing instrument to be her voluntary act.

Before me:

Cecil Olive Anderson  
Notary Public for Minnesota.  
My Commission Expires: June 24, 1972  
CECIL OLIVE ANDERSON  
Notary Public, Hennepin County, Minn.  
My Commission Expires June 24, 1972

STATE OF OREGON, )  
County of Multnomah. ) ss

May 16, 1969,

Personally appeared the above-named Roland W. Geary, who acknowledged himself to be a member of GEARY BROS., a partnership, and acknowledged the foregoing instrument as his voluntary act.

Before me:

Bernice E.V. Guard  
Notary Public for Oregon.  
My Commission Expires: August 13, 1970

STATE OF CALIFORNIA, )  
County of Alameda. ) ss

May June 5, 1969,

Personally appeared the above-named Alice Geary Kilham, who acknowledged herself to be a member of GEARY BROS., a partnership, and acknowledged the foregoing instrument to be her voluntary act.

Before me:

Walter D. ...  
Notary Public for California.  
My Commission Expires: 34

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STATE OF ILLINOIS,  
County of Kane  
for record at request of

Transamerica Title Co.

2<sup>nd</sup> day of July A.D. 1969

3:47 P.M. and duly

at 11:00 A.M. 69 Deeds

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Wm. J. McNamee, County Clerk

By *Deputy* Deputy

Fee and fee