

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I. E. CAMPBELL and CARRIE CAMPBELL, also known as CARRIE K. CAMPBELL, husband and wife, hereinafter called "Grantors", for the consideration of the sum of Two Thousand and No/100 DOLLARS (\$2,000.00) received, do hereby convey unto the STATE OF OREGON, by and through its STATE HIGHWAY COMMISSION, hereinafter called "Grantee", the following described property, to wit:

## PARCEL 1

A parcel of land lying in Lots 1, 2, 3, 4, 5 and 6, HIGHLAND PARK, Klamath County, Oregon and being a portion of that property described in that deed to I. E. Campbell and Carrie Campbell, recorded in Book 318, Page 500 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 44 feet in width, lying on the Northeasterly side of the center line of the Klamath Falls - Lakeview Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 160+00, said station being 1251.29 feet North and 2642.69 feet West of the Southeast corner of Section 1, Township 39 South, Range 9 East, W.M.; thence South 46° 06' 30" East 3050 feet to Engineer's center line Station 190+50.

ALSO that portion of said property lying Northeasterly of said strip of land and Northwesterly of a line at right angles to said center line at Engineer's Station 179+45.

The parcel of land to which this description applies contains 3,320 square feet, more or less.

Also for the above stated consideration, there is hereby conveyed to Grantee all existing, future or potential common law or statutory abutter's easements of access between the above described parcel and all of Grantors' remaining real property, EXCEPT, however,

Reserving for service of Grantors' remaining property, access rights to and from said remaining property to the abutting highway right of way at the following places and for the following widths:

Hwy. Engr's Sta.	Width	Side of Hwy.	Purpose
180+33	35 feet	Northeast	Unrestricted
182+36	40 feet	Northeast	Unrestricted
183+27	35 feet	Northeast	Unrestricted
184+00	35 feet	Northeast	Unrestricted

If, after written notice to desist, Grantors, or any person holding under them, shall use any of the above places of access in a width greater than above stated, or shall permit or suffer any person to do so, the right of access therefor shall automatically be suspended and Grantee shall thereupon have the right to close said places of access. The suspension shall terminate when satisfactory assurance has been furnished Grantee that the places of access will be used in a width not greater than above stated.

Grantee has the right to construct or otherwise provide at any future time 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 Grantors, their heirs and assigns, shall have access to the frontage road or roads for any purpose upon obtaining a permit from Grantee 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 Grantee may select.

Also for the consideration hereinabove stated there is hereby granted to Grantee a temporary easement for slopes, necessitated by the widening and improvement of the



Klamath Falls - Lakeview Highway, to be constructed upon the following described property, to wit:

## PARCEL 2

A parcel of land lying in Lots 1, 2, 3, 4, 5 and 6, HIGHLAND PARK, Klamath County, Oregon and being a portion of that property described in that deed to I. E. Campbell and Carrie Campbell, recorded in Book 318, Page 500 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southeasterly of a line at right angles to the center line of the relocated Klamath Falls - Lakeview Highway at Engineer's Station 179+45; Northeastly of Parcel 1 and included in a strip of land 47 feet in width, lying on the North-easterly side of said center line, which center line is described in Parcel 1.

The parcel of land to which this description applies contains 1,430 square feet, more or less.

IT IS UNDERSTOOD that this easement shall be for a period of three (3) years from the date hereof or until the completion and opening to traffic of the Patterson Street - Klamath Falls - Malin Highway Section of the Klamath Falls - Lakeview Highway, whichever is earlier.

It is also understood that Grantors shall be allowed to use all of the above described Parcel 2 for any purpose not inconsistent with the easement rights herein granted, provided that no such use will be permitted which will damage or endanger the lateral support of said highway, it being also understood that nothing herein contained shall be construed as imposing any obligation on Grantee to maintain said slopes, that Grantee shall never be required to remove the dirt or other materials placed by it upon said property, and that Grantee shall not be subject to any damages to Grantors, their heirs and assigns, by reason of the slopes constructed thereon, or by reason of change of grade of the street or highway abutting on said property.

And Grantors do hereby covenant to and with Grantee, its successors and assigns, that they are the owners in fee simple of the said property which is free from all encumbrances and will warrant and defend the property herein conveyed and the easement rights herein granted from all lawful claims whatsoever.

Dated this 26 day of October, 1971.

*I. E. Campbell*  
*Carrie Campbell*

STATE OF OREGON, County of Klamath

October 26, 1971. Personally appeared the above named I. E. Campbell and Carrie Campbell, also known as Carrie K. Campbell, who acknowledged the foregoing instrument to be their voluntary act. Before me:  
STATE OF OREGON, COUNTY OF KLAMATH  
Filed for record at request of:  
Oregon State Highway Comm.

on this 2nd day of November, A. D., 1971.  
at 10:22 o'clock A. M. and duly  
recorded in Vol. M71 of Deeds  
Page 11423

WM. D. MILNE, County Clerk

Fee \$0.00 By Cynthia Campbell Deputy.

*Joseph Steffel*  
Notary Public for Oregon

My Commission expires July 9, 1973

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between the  
Lakeview Hig  
Grantors from  
husband and  
their heirs  
of said lease  
reserved in the  
Carrie K. Camp  
Highway Commis  
Grantors  
real property  
fore granted by  
husband and wife  
said property be  
PARCEL 2