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ORIGINAL

File 44415

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That MARGARET C. HOLLIDAY and HOWARD L. HOLLIDAY, as individuals and as Trustees, hereinafter called "Grantors", for the consideration of the sum of Two Thousand Four Hundred Twenty-two and No/100 DOLLARS (\$2,422.00) and other valuable consideration 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:

A parcel of land lying in the W $\frac{1}{2}$  and in the SW $\frac{1}{4}$  of Section 13, Township 39 South, Range 8 East, W.M., Klamath County, Oregon; the said parcel being that portion of said subdivisions included in a strip of land variable in width, lying on each side of the center line of the Green Springs Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 325+00, said station being 722.72 feet North and 880.41 feet West of the Southwest corner of said Section 13; thence North 55° 17' 30" East 1895.06 feet; thence on a spiral curve left (the long chord of which bears North 54° 21' 15" East) 375 feet; thence on a 3819.72 foot radius curve left (the long chord of which bears North 50° 12' 10" East) 303.52 feet; thence on a spiral curve left (the long chord of which bears North 46° 03' 05" East) 375 feet; thence North 45° 06' 50" East 1505.63 feet; thence on a spiral curve left (the long chord of which bears North 43° 25' 35" East) 450 feet; thence on a 2546.48 foot radius curve left (the long chord of which bears North 36° 13' 55" East) 339.51 feet; thence on a spiral curve left (the long chord of which bears North 29° 02' 15" East) 450 feet to Engineer's center line Station 381+93.72.

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

Station to	Station	Width on Northwesternly Side of Center Line	Width on Southeasternly Side of Center Line
330+00	343+95.06	100	100
343+95.06	350+00	80	100
350+00	376+50	100	100
376+50	377+43.72	100	100 in a straight line to 50

EXCEPT therefrom that property described in those deeds to Klamath County School District, recorded in Book 236, Page 54 and in Book M-66, Page 5520, Klamath County Record of Deeds.

ALSO EXCEPT therefrom that property described in that deed to Clarence V. and Mildred R. Schultz, recorded in Volume 118, Page 579 and in that deed to Walter L. and Fern Foster, recorded in Volume 109, Page 355 of Klamath County Record of Deeds.

The parcel of land to which this description applies contains 16.5 acres, more or less, outside of the existing right of way.

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 right of way of the public way identified as the relocated Green Springs Highway and all of Grantors' remaining real property, EXCEPT, however,

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

Hwy. Engr's Sta.	Width	Side of Hwy.	Purpose
341+60	70 feet	Southeasternly	Unrestricted
352+60	35 feet	Northwesternly	Unrestricted
353+70	35 feet	Southeasternly	Unrestricted
369+20	35 feet	Northwesternly	Unrestricted
369+70	35 feet	Southeasternly	Unrestricted

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JAMES E. HUSTON  
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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, successors 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.

AND ALSO RESERVING, for farm purposes only and for the service of Crantors' remaining property, a right to establish, maintain and use a crossing in a width of 16 feet across said highway at Engineer's Station 357+70. These rights shall be effective only so long as any portion of said remaining property on both sides of the highway and served by said crossing are held by a single ownership. The construction of a frontage road or roads shall not defeat this right of crossing.

If, after written notice to desist, Grantors, or any person holding under them shall use any of the above places of access or farm crossing for any purpose not stated for that particular place or in a width greater than above stated, or shall permit or suffer any person to do so, such right of access or farm crossing shall automatically be suspended. Grantee shall thereupon have the right to close such places of access or farm crossing for all purposes. The suspension shall terminate when satisfactory assurance has been furnished Grantee that the places of access or farm crossing will be used only for the purposes herein set forth and in widths not greater than above stated.

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 24 day of Nov., 1971.

Margaret C. Holliday, as an individual

Howard L. Holliday, as an individual

Margaret C. Holliday, Trustee

Howard L. Holliday, Trustee

STATE OF OREGON, County of

STATE OF OREGON, County of Clatsop  
Nov 24, 1971. Personally appeared the above named Margaret C. Holliday, as  
 an individual and as Trustee, and acknowledged the foregoing instrument to be her voluntary  
 act. Before me:

**Notary Public for Oregon**

My Commission expires Aug 13 1972

STATE OF OREGON, County of

STATE OF OREGON, County of Tillamook  
NOV 24, 1971. Personally appeared the above named Howard L. Holliday, as  
 an individual and as Trustee, and acknowledged the foregoing instrument to be his voluntary  
 act. Before me:

Notary Public for Oregon

My Commission expires Dec 13 1977

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RETURN TO  
OREGON STATE HIGHWAY COMMISSION  
RIGHT OF WAY SECTION  
STATE HIGHWAY BLDG. ROOM 119  
SALEM, OREGON 97310

STATE OF OREGON }  
County of Klamath } ss.

Filed for record at request of:

Oregon State Highway Section

on this 1st day of December A.D. 19 71

at 11:14 o'clock A.M. and duly

recorded in Vol. M71 of Deeds

Page 12576

WM. D. MILNE, County Clerk

By *Cynthia H. Hines* Deputy.  
Fee \$4.50

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