

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That JOHN O. JACOBSON and MARTHA F. JACOBSON, husband and wife, hereinafter called "Grantors", for the consideration of the sum of Three Thousand Three Hundred and No/100 DOLLARS (\$3,300.00) 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 the SE $\frac{1}{4}$ of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to John O. Jacobson and Martha F. Jacobson, recorded in Book 351, Page 372 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 Southwesterly 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.

The parcel of land to which this description applies contains 1,694 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 right of way of the public way identified as the relocated Klamath Falls - Lakeview Highway 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
173+90	40 feet	Southwesterly	Unrestricted
174+62	35 feet	Southwesterly	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, an easement for slopes, necessitated by the widening and improvement of the relocated Klamath Falls - Lakeview Highway, to be constructed upon the following described property, to wit:

PARCEL 2

A parcel of land lying in the SE $\frac{1}{4}$ of Section 1, Township 39 South, Range 9

East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to John O. Jacobson and Martha F. Jacobson, recorded in Book 351, Page 372 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southwesterly of Parcel 1 and included in a strip of land 52 feet in width, lying on the Southwesterly side of the center line of the Klamath Falls - Lakeview Highway as said highway has been relocated, which center line is described in Parcel 1.

The parcel of land to which this description applies contains 968 square feet, more or less.

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 said highway, whichever is earlier.

It is hereby 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 used in the construction of said slopes, 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 8th day of May, 1972.

John O. Jacobson
Martha F. Jacobson

STATE OF OREGON, County of KLAMATH

May 8, 1972. Personally appeared the above named John O. Jacobson and Martha F. Jacobson, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Alameda E. Guisomine
Notary Public for Oregon

My Commission expires Aug. 5, 1974

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of STATE OF OREGON HWY COMM
this 18th day of May A. D. 1972 at 3:54 o'clock P.M., and
duly recorded in Vol. M 72, of DEEDS on Page 5337.

FEE \$4.00

Wm D. MILNE, County Clerk

By Hay P. Wazil