

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That FRED J. DALLAS and GENEVIEVE DALLAS, husband and wife, hereinafter called "Grantors", for the consideration of the sum of Twenty Two Thousand Six Hundred Twenty-one and 98/100 DOLLARS (\$22,621.98) 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 Fred J. Dallas and Genevieve Dallas, recorded in Book 337, Page 272 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.

ALSO that portion of said property lying Southwesterly of said strip of land and Southeasterly of a line at right angles to said center line at Engineer's Station 176+95.

The parcel of land to which this description applies contains 3,600 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 width:

Hwy. Engr's Sta.	Width	Side of Hwy.	Purpose
175+66	40 feet	Southwesterly	Unrestricted
176+60	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 place 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 further granted to Grantee an easement for the construction of slopes, necessitated by the widening and improvement of said section of the relocated Klamath Falls - Lakeview Highway, over and across the following described property, to wit:

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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 Fred J. Dallas and Genevieve Dallas, recorded in Book 337, Page 272 of Klamath County Record of Deeds; the said parcel being that portion of said property 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.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 1,680 square feet, more or less.

IT IS UNDERSTOOD that the slope easement over Parcel 2 shall be for a period of three (3) years from the date hereof or until the completion and opening to traffic of said section of said highway, whichever is earlier.

IT IS EXPRESSLY UNDERSTOOD that Grantors shall be allowed to use the property herein described as Parcel 2 for uses not inconsistent with the rights herein granted and that Grantee shall never be required to remove the slope material placed by it upon said property, nor shall Grantee be subject to any damages to Grantors, their heirs and assigns, by reason of change of grade of the highway abutting on said property.

IT IS FURTHER UNDERSTOOD that the provisions contained herein shall be covenants running with the land and shall bind Grantors, their heirs and assigns.

Also for the consideration hereinabove stated, there is hereby granted to Grantee, a temporary easement to construct an approach road on and along the following described property, to wit:

PARCEL 3

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 Fred J. Dallas and Genevieve Dallas, recorded in Book 337, Page 272 of Klamath County Record of Deeds; the said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Klamath Falls - Lakeview Highway at Engineer's Stations 175+45 and 175+85 and between lines which are parallel with and 44 feet Southwesterly and 85 feet Southwesterly of said center line, which center line is described in Parcel 1.

The parcel of land to which this description applies contains 1,640 square feet.

The term and duration of this easement shall be for a period of 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 relocated Klamath Falls - Lakeview Highway, whichever is sooner.

This instrument does not grant or convey any right or title to the above described property except for the purpose of constructing the approach road thereon; it being further understood that nothing herein contained shall be construed to impose any duty, obligation or liability upon Grantee by reason of the construction, operation or maintenance of said facility.

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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.

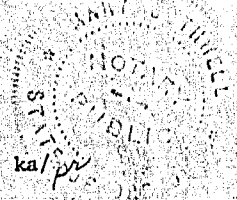
Dated this 8 day of June, 1972.

Fred J. Dallas
Genevieve H. Dallas

STATE OF OREGON, County of Klamath

June 8, 1972. Personally appeared the above named Fred J. Dallas and Genevieve Dallas, who acknowledged the foregoing instrument to be their voluntary act.

Before me:



Mary Cottrell
Notary Public for Oregon
My Commission expires 8/16/73

STATE OF OREGON,
County of Klamath,
Filed for record at request of
OREGON STATE HWY COMMISSION
on this 13th day of JUNE A. D. 19 72
at 10:19 o'clock AM, and duly
recorded in Vol. M 72 of DEEDS
Page 6286
Wm D. MILNE, County Clerk
By Hazel Drayton Deputy
Fee \$ 6.00