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ORIGINAL

File 44985, L-6608

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That H. N. RING, also known as HENRY RING, hereinafter called "Grantors", for the consideration of the sum of One Thousand Six Hundred Fifty and No/100 DOLLARS (\$1,650.00) 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 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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 H. N. Ring, recorded in Book 214, Page 213 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 145+22.86, said station being 2258.63 feet North and 3723.80 feet West of the Southeast corner of Section 1, Township 39 South, Range 9 East, W.M.; thence on a spiral curve right (the long chord of which bears South 48° 49' East) 500 feet to Engineer's center line Station 150+22.86 Back equals 150+21.50 Ahead; thence South 46° 06' 30" East 1454.55 feet to Engineer's center line Station 164+76.05.

The parcel of land to which this description applies contains 2,140 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 place and for the following width:

Hwy. Engr's Sta.	Width	Side of Hwy.	Purpose
154+20	35 feet	Northerly	Unrestricted

If, after written notice to desist, Grantors, or any person holding under them, shall use the above place 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 place 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 above stated consideration, there is hereby granted to Grantee, a permanent right and easement to construct, operate and maintain drainage facilities, and also a permanent easement to construct, maintain, repair and have free access to all slopes of cuts or fills, occasioned by or resulting from the construction, operation or maintenance of a public street or highway and appurtenances, upon the

following described property, to wit:

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PARCEL 2

A parcel of land lying in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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 H. N. Ring, recorded in Book 214, Page 213 of Klamath County Record of Deeds; the said parcel being that portion of said property lying North-easterly of Parcel 1 and included in a strip of land 57 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 in Parcel 1.

The parcel of land to which this description applies contains 1,990 square feet, more or less.

IT IS EXPRESSLY UNDERSTOOD that this easement does not convey any right, title or interest to the surface of the soil, nor any other rights except those expressly stated in this easement, nor prevent Grantors from the full use and dominion thereover, provided, however, that such use shall not be permitted to damage or destroy lateral support to said public street or highway, or to interfere in any way with the construction, operation or maintenance of Grantee's drainage facilities, and provided further that nothing herein contained shall grant to Grantee, the right to excavate beneath existing buildings or deposit fill materials against existing buildings above the top of the foundations thereof, but it is understood and agreed that Grantee shall never be required to remove the dirt or other materials placed by it upon said property, nor shall Grantee be subject to any damages to Grantors, their heirs and assigns, by reason thereof, or by reason of the slopes and drainage facilities 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.

In construing this instrument, where the context so requires, the plural includes the singular.

Dated this 18th day of July, 1972.

Henry Ring

STATE OF OREGON, County of KLAMATH

July 18

1972. Personally appeared the above named H. N. Ring, also known as Henry Ring, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Alameda E. Giacomini
Notary Public for Oregon

My Commission expires Aug. 5, 1974



STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of OREGON STATE HIGHWAY RIGHT OF WAY SECTION

this 25th day of JULY A. D., 1972 at 9:43 o'clock A. M., and duly recorded in Vol. M 72 of DEEDS on Page 8068

FEE \$4.00

WM. D. MILNE, County Clerk

By *Robert Drangel* deputy