

File 45004, L-6624

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That ELWOOD F. SINE, hereinafter called "Grantors", for the consideration of the sum of Six Thousand Two Hundred Seventy-five and No/100 DOLLARS (\$6,275.00) 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 10 and 11, HIGHLAND PARK, Klamath County, Oregon, and being a portion of that property described in those deeds to Elwood F. Sine, recorded in Book 327, Page 26, and recorded in Book M71, Page 3752, 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 centerline of the Klamath Falls - Lakeview Highway as said highway has been relocated, which centerline is described as follows:

Beginning at Engineer's centerline 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 centerline Station 190+50.

The parcel of land to which this description applies contains 432 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 width:

Hwy. Engr's Sta.	Width	Side of Hwy.	Purpose
187+39	35 feet	Northeasterly	Unrestricted
187+93	35 feet	Northeasterly	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 further granted to Grantee, an easement for the construction of slopes, necessitated by the widening and improvement of the Patterson Street, Klamath Falls - Malin Junction Section of the Klamath Falls - Lakeview Highway, over and across the following described property, to wit:

7583

Page 2 - WD

File 45004, L-6624

PARCEL 2

A parcel of land lying in Lots 10 and 11, HIGHLAND PARK, Klamath County, Oregon and being a portion of that property described in those deeds to Elwood F. Sine, recorded in Book 327, Page 26, and recorded in Book M71, Page 3752, of Klamath County Record of Deeds; the said parcel being that portion of said property lying Northeasterly of Parcel 1 and included in a strip of land 47 feet in width, lying on the Northeasterly side of the centerline of the Klamath Falls - Lakeview Highway as said highway has been relocated, which centerline is described in Parcel 1.

The parcel of land to which this description applies contains 324 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 the 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.

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 15th day of May, 1973.

Elwood F. Sine

STATE OF OREGON, County of Klamath

May 15, 1973. Personally appeared the above named Elwood F. Sine, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Ray W. Sine
Notary Public for Oregon

My Commission expires March 5 1974

ka/so

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of OREGON STATE HIGHWAY COMM
this 18th day of JUNE A.D. 1973 at 8 31 o'clock P.M., and
duly recorded in Vol. M 73, of DEEDS on Page 7582
FEE \$ 4.00

Wm D. MILNE, County Clerk
By Agnes D. Milne

