

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That GLADYS T. ADAMS, hereinafter called "Grantors",
for the consideration of the sum of Four Thousand Eight Hundred and No/100 DOLLARS
(\$4,800.00) received, do hereby convey unto the STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION,
~~STATE-HIGHWAY-COMMISSION~~, hereinafter called "Grantee", the following described property,
to wit:

PARCEL 1

A parcel of land lying in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township
39 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being that
portion of said subdivisions lying Southeasterly of that property described in
that deed to Robert B. Chilcote, recorded in Book M-70, Page 11306 of Klamath
County Record of Deeds; Northwesterly of that property described in that deed to
John M. Owens and Sheila M. Owens, recorded in Book 356, Page 167 of Klamath
County Record of Deeds and 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 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 Sta-
tion 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.

EXCEPT therefrom that property designated as Tract "A", which Tract "A" is
described as follows:

From the iron pin marking the Southeasterly corner of said Section 1, Town-
ship 39 South, Range 9 East, W.M., South 89° 58 $\frac{1}{2}$ ' West 1341.4 feet to a bolt in
the center line of the state highway designated as Oregon 66 as the same is now
located and constructed over and across said Section 1; thence North 46° 06 $\frac{1}{2}$ '
West along the center line of said highway 1380.4 feet; thence South 43° 53 $\frac{1}{2}$ '
West 30.0 feet to an iron pin on the Southerly right of way line of said Highway
66 marking the point of beginning of this survey; thence South 9° 42' West along
the center line of a drain 402.5 feet to a point; thence South 0° 32 $\frac{1}{2}$ ' West along
the center line of said drain 72.6 feet to a point; thence South 43° 53 $\frac{1}{2}$ ' West
20.0 feet to an iron pin; thence North 67° 41 $\frac{1}{2}$ ' West 410.0 feet to an iron pin;
thence North 23° 42' East 592.9 feet to an iron pin on the said Southerly right
of way line of said highway; thence South 46° 06 $\frac{1}{2}$ ' East along said right of way
line a distance of 310.0 feet, more or less, to the above mentioned point of
beginning.

The parcel of land to which this description applies contains 5,840 square
feet, 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 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
158+52	35 feet	Southerly	Unrestricted
159+52	35 feet	Southerly	Unrestricted
160+42	35 feet	Southerly	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

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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 above stated consideration, there is hereby granted to Grantee, a permanent easement to construct, operate and maintain an irrigation facility 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:

PARCEL 2

A parcel of land lying in the E $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being that portion of said subdivisions lying Southeasterly of that property described in that deed to Robert B. Chilcote, recorded in Book M-70, Page 11306 of Klamath County Record of Deeds; Northwesterly of Tract "A" as set forth in Parcel 1 and included in a strip of land variable in width, lying on the Southwesterly side of the center line of the relocated Klamath Falls - Lakeview Highway, which center line is described in Parcel 1.

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

Station	to Station	Width on Southwesterly Side of Center Line
155+00	157+00	49
157+00	164+76.05	67

The parcel of land to which this description applies contains 9,775 square feet, more or less.

Grantee by virtue of this easement shall have the right to go upon the real property hereinabove described as Parcel 2 for the purpose of making those certain changes in the irrigation facility now constructed on said property or property adjoining thereto as may be necessitated by the construction of the Patterson Street - Klamath Falls - Malin Highway Section of the relocated Klamath Falls - Lakeview Highway, it being understood that the rights in said relocated irrigation facility shall be the same as previously existed in that portion of the irrigation facility which is being relocated.

IT IS EXPRESSLY UNDERSTOOD that these easements do not convey any right, title or interest to the surface of the soil, nor any other rights except those expressly stated in these easements, 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, and provided further that nothing herein contained

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Dated this 12

STATE OF OREGON, County of
July 12, 1973.
acknowledged the foregoing

(SEAL)

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