

Highway Division
File 44997, L-6587

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That DONALD L. STROUD and LOIS M. STROUD, husband and wife, 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, 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 Donald L. Stroud and Lois M. Stroud, recorded in Book 301, Page 505 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 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 Northeasterly of said strip of land and Southeasterly of a line at right angles to said center line at Engineer's Station 177+25.

EXCEPT therefrom that property described in that contract to Gary L. Rutledge et ux, recorded in Book M-65, Page 3384 of Klamath County Record of Deeds.

The parcel of land to which this description applies contains 860 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+65	35 feet	Northeasterly	Unrestricted
176+90	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.

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