

ORIGINAL

Highway Division
File 48858

7-23-76

17696

WARRANTY DEED

Vol. 16 Page 12646

12646

KNOW ALL MEN BY THESE PRESENTS, That WASHBURN ENTERPRISES, INC., an Oregon corporation, Grantor, for the consideration of the sum of Two Hundred and No/100 DOLLARS (\$200.00) received, does hereby convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, Grantee, the following described property, to wit:

PARCEL 1

A parcel of land lying in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being described as follows:

Beginning on the East line of Washburn Way at a point 10 feet North of the intersection of said East line with the North line of Crosby Avenue; thence South along the said East line 10 feet to said North line; thence East along said North line 25 feet; thence Northwest in a straight line to the point of beginning.

The parcel of land to which this description applies contains 125 square feet, more or less.

Also for the consideration hereinabove stated, there is hereby granted to Grantee, its successors and assigns, a temporary easement to construct, operate and maintain a drainage facility over and across the following described property, to wit:

PARCEL 2

A parcel of land lying in the SE $\frac{1}{4}$ of Section 4, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 4 and described in that deed to Washburn Enterprises, Inc., recorded in Book M-75, Page 8772 of Klamath County Record of Deeds; the said parcel being that portion of said property situated in Lot 1, Block 2, TRACT 1080, WASHBURN PARK, Klamath County, Oregon lying Southerly of a line parallel with and 20 feet Northerly of the Northerly line of Crosby Avenue.

ALSO that portion of said property lying Westerly of said Tract 1080 and included in a strip of land 40 feet in width, 20 feet on each side of the Westerly extension of the Northerly line of Crosby Avenue.

The parcel of land to which this description applies contains 0.51 acre, more or less.

The term and duration of this easement shall be for a period of 3 years from the date hereof, or until the completion of the S. 6th - Hilyard Avenue (Klamath Falls) Section of the Midland Highway, whichever is sooner.

This instrument does not grant or convey any right or title to the said described property except for the purpose of constructing, operating and maintaining a drainage facility 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.

And Grantor does hereby covenant to and with Grantee, its successors and assigns, that it is the owner 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.

12647

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Dated this 10th day of August, 1976.

WASHBURN ENTERPRISES, INC.,
an Oregon corporation

By Dorman A. Turner
President

By Jewell Huston
Secretary

STATE OF OREGON, County of Klamath

Aug 10, 1976. Personally appeared Dorman A. Turner
and Jewell Huston, who, being sworn, stated that they are the President
and Secretary of grantor corporation and that this instrument was voluntarily signed in
behalf of the corporation by authority of its Board of Directors. Before me:

David Green
Notary Public for Oregon

My Commission expires April 8, 1980

ba/Ka

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of STATE OF OREGON HIGHWAY DIV RAW
this 16th day of AUGUST, A. D. 19 76 at 2:23 o'clock P. M., and
duly recorded in Vol. M 76, of DEEDS on Page 12646

FEE \$ 6.00

Wm D. MILNE, County Clerk

By Gayle D. Craig