

3/15/78

45945

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Highway Division  
File 49847  
M-2298 (2)

ORIGINAL

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That BARBARA J. STEVENSON and D. DALE CUSTER, also known as Dale Custer, Grantors, for the consideration of the sum of Three Hundred and No/100 DOLLARS (\$300.00) received, do hereby convey unto KLAMATH COUNTY, a political subdivision of the State of Oregon, Grantee, the following described property, to wit:

PARCEL 1

A parcel of land lying in Lot 1, Block A, HOMECREST, Klamath County, Oregon; the said parcel being described as follows:

Beginning on the North line of said Lot 1 at a point 10 feet West of the Northeast corner of said Lot 1; thence East along said North line 10 feet to said Northeast corner; thence South along the East line of said Lot 1, a distance of 10 feet; thence Northwesterly in a straight line to the point of beginning, containing 50 square feet.

Also for the above stated consideration, there is hereby granted to Grantee, its successors and assigns, 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 Shasta Way and appurtenances, upon the following described property, to wit:

PARCEL 2

The North 5 feet of the E $\frac{1}{2}$  of Lot 1, Block A, HOMECREST, Klamath County, Oregon.

EXCEPT therefrom Parcel 1, leaving a net area of 493 square feet.

Nothing contained in the easement over and across Parcel 2 herein granted shall be construed to convey fee title to the land used for slope purposes, 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 way. It is understood that Grantee shall never be required to remove the dirt or other materials used for the construction of said slopes nor shall Grantee be subject to any damages to Grantors, their heirs and assigns, by reason thereof or by reason of change of grade of the street or roadway 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 embe-

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ment rights herein granted from all lawful claims whatsoever.

Dated this 31<sup>st</sup> day of March, 1978.

Barbara J. Stevenson  
Barbara J. Stevenson

D. Dale Custer  
D. Dale Custer

STATE OF OREGON, County of Klamath

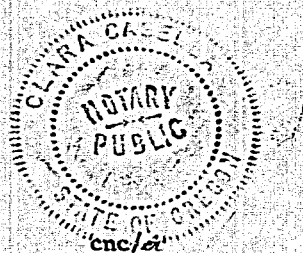
March 31, 1978. Personally appeared the above named Barbara J. Stevenson, who acknowledged the foregoing instrument to be her voluntary act. Before me:

Clara Custer  
Notary Public for Oregon  
My Commission expires April 8, 1980

STATE OF OREGON, County of Klamath

March 31, 1978. Personally appeared the above named D. Dale Custer, also known as Dale Custer, who acknowledged the foregoing instrument to be his voluntary act. Before me:

Clara Custer  
Notary Public for Oregon  
My Commission expires April 8, 1980



STATE OF OREGON; COUNTY OF KLAMATH; ss.

ed for record at request of Oregon State Highway Division  
his 7th day of April, A. D. 19 78 at 11:33 o'clock A. M., and  
tuly recorded in Vol. M78, of Deeds on Page 6730

Wm D. MILNE, County Clerk  
By Bernetha A. Helach

Fee \$6.00

Return to

Oregon State Hwy Div.  
c/o R/W Section  
119 Transp. Bldg  
Salem, Or 97310