

RIGHT OF WAY SECTION
STATE HIGHWAY DEPT. ROOM 119
SALEM, OREGON 97310

Highway Division
File 52172
9B-19-5

ORIGINAL

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58205

WARRANTY DEED

FRANCES O'CONNOR ENTERPRISES, INC., an Oregon corporation, Grantor, hereby conveys unto KLATMATH COUNTY, a political subdivision of the State of Oregon, Grantee, fee title to the following described property, to wit:

PARCEL 1

A parcel of land lying in Lot 6 of Section 8 and in the SW $\frac{1}{4}$ of Section 9, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being that portion of said subdivisions lying Westerly of the Southern Pacific Transportation Company Railroad right of way; Easterly of that property described in that deed to Pacific Power and Light Company, recorded in Book M-65, Page 3122 of Klamath County Record of Deeds and included in a strip of land variable in width, lying on each side of the center line of the South Side Bypass (County Road) which center line is described as follows:

Beginning at Engineer's center line Station "L5" 145+13.41, said station being 2147.68 feet North and 308.81 feet West of the Southeast corner of Section 8, Township 39 South, Range 9 East, W.M.; thence North 84° 11' 30" East 176.24 feet; thence on a spiral curve right (the long chord of which bears North 87° 31' 30" East 499.32 feet) 500 feet; thence on a 1432.39 foot radius curve right (the long chord of which bears South 72° 22' 30" East 665.53 feet) 671.67 feet; thence on a spiral curve right (the long chord of which bears South 52° 16' 30" East 499.32 feet) 500 feet; thence South 48° 56' 30" East 700.64 feet to Engineer's center line Station "L5" 170+61.96.

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

Station	to	Station	Width on Northeasterly Side of Center Line	Width on Southwesterly Side of Center Line
"L5"141+13.41	"L5"156+00	"L5"156+00	60	60
"L5"156+00	"L5"158+61.32	"L5"158+61.32	60 in a straight line to 90	60 in a straight line to 60
"L5"158+61.32	"L5"163+61.32	"L5"163+61.32	90	60 in a straight line to 75
"L5"163+61.32	"L5"165+00	"L5"165+00	90	75

Bearings are based upon the Oregon Co-ordinate System, South Zone.

The parcel of land to which this description applies contains 5.48 acres, more or less.

TOGETHER WITH all abutter's rights of access between the right of way of the public way identified as the South Side Bypass (County Road) and all of Grantor's remaining real property, EXCEPT, however,

Reserving for the service of Grantor's remaining property, access rights to and from said remaining property to the abutting highway right of way at the following place and in the following width:

Hwy. Engr's Sta.	Side of Hwy.	Width	Top Surface	Purpose
152+00	NORTH	40 Ft.	32 Ft.	UNRESTRICTED
152+00	SOUTH	40 Ft.	32 Ft.	UNRESTRICTED
156+00	NORTH	40 Ft.	32 Ft.	UNRESTRICTED
156+00	SOUTH	40 ft.	32 Ft.	UNRESTRICTED

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a material source to be used by Grantee in connection with the construction of the The Dalles/California Hwy.-Washburn Way Section of the South Side Bypass (County Road) over and across the following described property, to wit:

9-13-85

'85 FEB 12 AM 9 28

MB
JOC
MCR

2612

PARCEL 2

8108 A parcel of land lying in the SW $\frac{1}{4}$ of Section 9, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being described as follows:

Beginning on the Southwesterly line of Parcel 1 at a point opposite and 60 feet Southwesterly of Engineer's Station "L5" 155+00 on the center line of the South Side Bypass (County Road); thence Southeasterly in a straight line to a point opposite and 370 feet Southwesterly of Engineer's Station "L5" 158+61.32 on said center line; thence Southeasterly in a straight line to a point opposite and 460 feet Southwesterly of Engineer's Station "L5" 163+00 on said center line; thence Northeasterly at right angles to said center line to the said Southwesterly line of Parcel 1; thence Northeasterly along said Southwesterly line to the point of beginning.

The parcel of land to which this description applies contains 4.38 acres, more or less.

IT IS EXPRESSLY UNDERSTOOD that the easement and right herein granted shall terminate two (2) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that nothing herein contained shall be construed to impose any duty, obligation or liability upon Grantee by reason of the use of said material source.

Grantor hereby covenants to and with Grantee, its successors and assigns, that it is the owner of said property which is free from all encumbrances, except for easements, conditions and restrictions of record, and will warrant and defend the property herein conveyed and the easement rights herein granted from all lawful claims whatsoever, except as stated herein.

The true and actual consideration received by Grantor for this conveyance is \$ 5,000.00.

Dated this 1 day of Oct, 1985.

FRANCES O'CONNOR ENTERPRISES, INC.

By Jim O'Connor
President

By _____
Secretary

STATE OF OREGON, County of Klamath

Oct. 1, 1985. Personally appeared Jim O'Connor and _____, who, being sworn, stated that they are the President and Secretary of Frances O'Connor Enterprises, Inc., and that this instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:



Neil C. Boehm
Notary Public for Oregon
My Commission expires 3-18-87