83438

ORIGINAL

RETURN TO
OREGON HIGHWAY DIVISION
RIGHT OF WAY SECTION
119 TRANSPORTATION BLDG.
SALEM, OREGON 97310

Highway Division
File 55387
Map No. 9B-26-22

K-38797

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WARRANTY DEED

formerly Trendwest Development Company

TRENDWEST, INC., an Oregon corporation, Grantor, hereby conveys unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION, Highway Division**, Grantee, fee title to the following described property, to wit:

PARCEL 1

A parcel of land lying in the E½ of Section 21 and the NE¼ of Section 28, Township 35 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said subdivisions lying Southeasterly of the Southern Pacific Transportation Company Right of Way and included in a strip of land variable in width, lying on each side of the center line of the relocated The Dalles-California Highway which center line is described as follows:

Beginning at Engineer's center line Station 1150+00, said station being 2749.19 feet South and 213.39 feet West of the Northeast corner of Section 33, Township 35 South, Range 7 East, W.M.; thence North 9° 32' West 12,465.19 feet to Engineer's center line Station 1274+65.19.

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

Station	to	Station	Width on Easterly Side of Center Line	Width on Westerly Side of Center Line
1204+00		1222+00	55	
1222+00		1224+00	55 in a straight line to 50	
1224+00		1228+00	50	
1228+00		1228+25	50 in a straight line to 55	
1228+25		1244+00	55 in a straight line to 85	
1244+00		1249+50	85 in a straight line to 50	
1249+50		1251+00	50	
1202+00		1205+00		55 in a straight line to 50
1205+00		1209+70		50 in a straight line to 55
1209+70		1214+00		55 in a straight line to 50
1214+00		1219+00		50 in a straight line to 55
1219+00		1222+00		55
1222+00		1225+00		55 in a straight line to 50

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1225+00	1228+25	50 in a straight line to 55
1228+25	1230+50	55 in a straight line to 50
1230+50	1233+00	50 in a straight line to 75
1233+00	1244+50	75 in a straight line to 120
1244+50	1248+00	120

Bearings are based on Oregon State Highway Division Survey. See Drawing No. 5B-18-23, dated July, 1938.

The parcel of land to which this description applies contains 2.62 acres, more or less, outside of the existing right of way.

PARCEL 2

A parcel of land lying in Lot 25 and in the NE¼ of Section 21, Township 35 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said subdivisions lying Southerly of the center line of the Williamson River; Northerly of the Southern Pacific Transportation Company Right of Way and included in a strip of land variable in width, lying on each side of the center line of the relocated The Dalles-California 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 Easterly Side of Center Line	Width on Westerly Side of Center Line
1251+80		1259+00	75	
1259+00		1260+00	75 in a straight line to 65	
1260+00		1270+00	65	
1251+50		1260+00		105
1260+00		1262+00		105 in a straight line to 90
1262+00		1265+00		90 in a straight line to 120
1265+00		1270+00		120 in a straight line to 85

EXCEPT therefrom that portion of said NE¼ lying Southerly of the center line of the Williamson River; Westerly of the existing The Dalles-California Highway and Northerly of the Modoc Point Canal.

The parcel of land to which this description applies contains 1.58 acres, more or less, outside of the existing right of way.

TOGETHER WITH all abutter's rights of access between the relocated The Dalles-California Highway and Grantor's remaining real property, EXCEPT, however,

Reserving access rights for the service of Grantor's remaining property, to and from said remaining property to the abutting highway at the following places, in the following widths and for the following purposes:

Hwy. Engr's Sta.	Side of Hwy.	Width	Purpose
1217+55	East	40 feet	Unrestricted
1217+55	West	40 feet	Unrestricted
1258+64	West	35 feet	Unrestricted
1262+16	East	35 feet	Unrestricted

Grantor also grants to Grantee, its successors and assigns, a construction permit to construct a road approach in connection with the construction of the Williamson River-Modoc Point Section of the relocated The Dalles-California Highway over, across and upon the following described property, to wit:

PARCEL 3

A parcel of land lying in Lot 25 and in the NE¼ of Section 21, Township 35 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said subdivisions lying between lines at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Stations 1258+00 and 1259+10 and included in a strip of land 220 feet in width, lying on the Westerly side of said center line which center line is described in Parcel 1.

EXCEPT therefrom Parcel 2, leaving a net area of 0.29 acre, more or less.

PARCEL 4

A parcel of land lying in Lot 22 of Section 21, Township 35 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said lot lying between lines at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Stations 1260+75 and 1262+50 and included in a strip of land 130 feet in width, lying on the Easterly side of said center line which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1, leaving a net area of 0.26 acre, more or less.

The term and duration of this permit shall be until the completion of said project.

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IT IS UNDERSTOOD that the permit herein granted does not convey any right or interest in the above-described Parcels 3 and 4, except as stated herein, nor prevent Grantor from the use of said property; provided, however, that such use does not interfere with the rights herein granted.

Grantor hereby covenants to and with Grantee, its successors and assigns, that it is the owner of all of the above-described property and will warrant and defend the property herein conveyed and easement rights herein granted from all lawful claims whatsoever.

The true and actual consideration received by Grantor for this conveyance is $ 13,000.00 .

Dated this 13 day of Nov., 1987.

TRENDWEST, INC.

By Robert A. Kent
President

By R C Wendt
Secretary

STATE OF OREGON, County of Klamath

November 13, 1987. Personally appeared Robert A. Kent and R.C. Wendt, who, being sworn, stated that they are the President and Secretary of Trendwest, Inc., formerly Trendwest Development Company, and that this instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:

Beverly J. Endor
BEVERLY J. ENDOR
NOTARY PUBLIC-OREGON
My Commission Expires 4-13-91

Notary Public for Oregon

My Commission expires

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Company the 13th day of January A.D., 19 88 at 2:20 o'clock P M., and duly recorded in Vol. M88, of Deeds on Page 618.

FEE $20.00

Evelyn Biehn, County Clerk
By Pam Smith