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

83565

Highway Division
File 55749
9B-27-5

ORIGINAL

K-39541

WARRANTY DEED

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GIENGER ENTERPRISES, 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 Lots 11, 14, 19, 22, 27 and 30 of Section 10, Township 36 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said lots included in a strip of land variable in width, lying on the Easterly side of the center line of the The Dalles-California Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 975+00, said station being 4113.55 feet South and 3.69 feet East of the North quarter corner of Section 15, Township 36 South, Range 7 East, W.M.; thence North 4° 39' 30" West 2061.45 feet; thence on a spiral curve left (the long chord of which bears North 4° 44' West 150 feet) 150 feet; thence on a 19,098.60 foot radius curve left (the long chord of which bears North 7° 05' 45" West 1474.63 feet) 1475 feet; thence on a spiral curve left (the long chord of which bears North 9° 27' 30" West 150 feet) 150 feet; thence North 9° 32' West 4463.55 feet to Engineer's center line Station 1058+00.

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
1015+00	1019+00	70
1019+00	1021+00	70 in a straight line to 65
1021+00	1032+00	65
1032+00	1034+00	65 in a straight line to 60
1034+00	1042+00	60
1042+00	1045+00	60 in a straight line to 65
1045+00	1052+00	65 in a straight line to 55
1052+00	1058+00	55

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 1.15 acres, more or less, outside of the existing right of way.

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PARCEL 2

A parcel of land lying in Lot 6 of Section 10, Township 36 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said lot included in a strip of land variable in width, lying on the Easterly side of the center line of the The Dalles-California Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 1055+00, said station being 3807.93 feet North and 1072.48 feet West of the South quarter corner of Section 10, Township 36 South, Range 7 East, W.M.; thence North 9° 32' West 8500 feet to Engineer's center line Station 1140+00.

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
1055+00		1058+00	55
1058+00		1060+00	55 in a straight line to 50
1060+00		1065+00	50

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 0.02 acre, 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, Southerly of Highway Engineer's Station 1064+00 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 right of way at the following places, in the following widths and for the following purposes:

Hwy. Engr's Sta.	Side of Hwy.	Width	Purpose
1040+25	East	35 feet	Unrestricted
1016+58	East	35 feet	Unrestricted

Grantor also grants to Grantee, its successors and assigns, a permanent easement for construction, reconstruction, and maintenance of an irrigation facility, and its appurtenances, over, upon, and across the following described property, to wit:

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PARCEL 3

A parcel of land lying in Lots 22, 27 and 30 of Section 10, Township 36 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said lots lying Southerly of a line at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Station 1034+20 and included in a strip of land variable in width, lying on the Easterly side of said center line 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
1012+75		
1018+00	1018+00	110 in a straight line to 120
	1034+20	120 in a straight line to 110

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 2.03 acres, more or less.

Grantee, by virtue of this easement, shall have the right to go upon the above-described Parcel 3 for the purpose of making those certain changes in the irrigation facility now constructed or to be constructed on said property, or property adjoining thereto, as may be necessitated by the reconstruction, widening, and improvement of the Williamson River-Modoc Point Section of the relocated The Dalles-California Highway, it being understood that the rights of the owners of said relocated irrigation facility shall be the same as previously existed in that portion of the irrigation facility which is being relocated.

IT IS ALSO UNDERSTOOD that this easement does not convey any right or interest in the above-described Parcel 3 except as stated herein.

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

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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 $ 1,875.00.

Dated this 10 day of November, 1987.

GIENGER ENTERPRISES, INC.

By Leroy J. Gienger (Pres)
President

By Elvine P. Gienger
Secretary

STATE OF OREGON, County of Klamath

November 10, 1987. Personally appeared Leroy J. Gienger and Elvine P. Gienger, who, being sworn, stated that they are the President and Secretary of Gienger Enterprises, Inc., and that this instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:

Franklin P. King
Notary Public for Oregon

My Commission expires 12-20-88

FRANKLIN P. KING NOTARY PUBLIC STATE OF OREGON

10-16-87
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slb/hy

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Company the 15th day of January A.D., 19 88 at 2:48 o'clock P M., and duly recorded in Vol. M88 of Deeds on Page 831.

Evelyn Biehn, County Clerk
By Pam Smith

FEE $25.00