

2168

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

Vol. m89 Page 11894

Highway Division
File 57753
Map No. 9B-32-1

ORIGINAL

WARRANTY DEED

DONALD E. COLWELL and **BARBARA E. COLWELL**, also known as Barbara D. Colwell, husband and wife, **LESNICK DEVELOPMENT CO.**, of Oreg. Ltd., an Oregon Limited Partnership, Grantors, hereby convey unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Highway Division, Grantee, fee title to the following described property, to wit:

A parcel of land lying in the SE $\frac{1}{4}$ of Section 22, Township 39 South, Range 8 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Ralph Carmichael, General Partner, Lesnick Development Co. of Oregon, Ltd., recorded in Book M-86, Page 20893 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northwesterly side of the center line of the Green Springs Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 223+82.73, said station being 623.65 feet South and 224.28 feet West of the North quarter corner of Section 27, Township 39 South, Range 8 East, W.M.; thence North 49° 50' 04" East 2112.37 feet; thence on a spiral curve left (the long chord of which bears North 48° 53' 49" East 374.96 feet) 375 feet; thence on a 3819.72 foot radius curve left (the long chord of which bears North 45° 11' 32.5" East 243.90 feet) 243.94 feet; thence on a spiral curve left (the long chord of which bears North 41° 29' 15" East 374.96 feet) 375 feet; thence North 40° 33' 01" East 503.74 feet; thence on a spiral curve left (the long chord of which bears North 39° 53' 01" East 399.98 feet) 400 feet; thence on a 5729.58 foot radius curve left (the long chord of which bears North 38° 13' 13" East 66 feet) 66 feet; thence on a spiral curve left (the long chord of which bears North 36° 33' 25" East 399.98 feet) 400 feet; thence North 35° 53' 25" East 450.23 feet to Engineer's center line Station 273+09.01.

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

| Station | to | Station | Width on Northwesterly Side of Center Line |
|---------|----|---------|--|
| 225+00 | | 236+00 | 45 |
| 236+00 | | 237+50 | 45 in a straight line to 60 |
| 237+50 | | 241+00 | 60 |
| 241+00 | | 242+00 | 60 in a straight line to 70 |
| 242+00 | | 256+25 | 70 |
| 256+25 | | 257+00 | 70 in a straight line to 50 |

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

99 JUN 30 PM 3 39

The parcel of land to which this description applies contains 1.68 acres, more or less, outside of the existing right of way.

TOGETHER WITH all abutter's rights of access between the relocated Green Springs Highway and Grantors' remaining real property, EXCEPT, however,

Reserving access rights, for the service of Grantors' remaining property, to and from said remaining property to the abutting highway at the following place_, in the following width_ and for the following purpose_:

| Hwy. Engr's Sta. | Side of Hwy. | Width | Purpose |
|------------------|--------------|---------|--------------|
| 236+65 | North | 35 feet | Unrestricted |

Grantors hereby covenant to and with Grantee, its successors and assigns, that they are the owners of said property which is free from encumbrances except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING THE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true and actual consideration received by Grantors for this conveyance is

\$ 1,200.00.

Dated this 22 day of MAY, 1989.

Donald E. Colwell
Donald E. Colwell

LESNICK DEVELOPMENT CO., of Oreg.
Ltd., an Oregon limited partnership
By Ralph Carmichael
Ralph Carmichael, General Partner

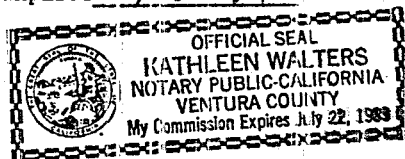
Barbara B. Colwell
Barbara B. Colwell

STATE OF OREGON, County of Klamath

May 22, 1989. Personally appeared the above named Donald E. Colwell and Barbara B. Colwell, also known as Barbara D. Colwell, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Kathleen Walters
Notary Public Of California
My commission expires 7-22-89

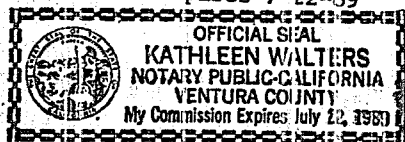
W. Delaney
Notary Public for Oregon
My Commission expires 12/15/92



STATE OF OREGON, County of Ventura

May 15 1989. Personally appeared the above named Ralph Carmichael, who being sworn, stated that he is a general partner of Lesnick Development Co., of Oreg. Ltd., an Oregon Limited Partnership, and acknowledged the foregoing instrument to be his voluntary act. Before me:

[Signature]
Notary Public of California
My commission expires 7-22-39



[Signature]
Notary Public for Oregon
My Commission expires _____

4-20-89

Page 3 - WD
ael/wlp

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 30th day
of June A.D., 19 89 at 3:39 o'clock PM., and duly recorded in Vol. M89
of Deeds on Page 11894

FEE \$18.00

Evelyn Biehn County Clerk

By [Signature]