

15116

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

Vol M90 Page 3644

ORIGINAL

Highway Division  
File 6050-003  
9B-34-14

ASPEN 34365

## WARRANTY DEED

ROBERT L. HARRIS and FRANCES J. HARRIS, husband and wife, Grantors, convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, Grantee, fee title to the following described property:

## PARCEL 1 - Fee

A parcel of land lying in the E~~SE~~ of Section 16, Township 34 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said E~~SE~~ lying Northerly of that property described in that contract to Vito Vitarbo recorded in Book M-84, Page 18913 of Klamath County Record of Deeds and included in a strip of land variable in width, lying on the Westerly 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 2893+99.72, said station being 3268.76 feet North and 520.20 feet West of the East quarter corner of Section 16, Township 34 South, Range 7 East, W.M.; thence South 2° 03' 01" East 3678.93 feet; thence on a spiral curve right (the long chord of which bears South 1° 50' 31" East 250 feet) 250 feet; thence on an 11,459.16 foot radius curve right (the long chord of which bears South 0° 22' 27" West 719.66 feet) 719.78 feet; thence on a spiral curve right (the long chord of which bears South 2° 35' 25" West 250 feet) 250 feet; thence South 2° 47' 55" West 9599.37 feet to Engineer's center line Station 3038+97.80.

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

Station	to	Station	Width on Westerly Side of Center Line
2910+00		2928+00	75
2928+00		2929+40	75 in a straight line to 240
2929+40		2937+00	240 in a straight line to 160
2937+00		2940+48.43	160 in a straight line to 75
2940+48.43		2942+98.43	75 in a straight line to 70
2942+98.43		2950+00	70

Bearings are based upon the Oregon Co-ordinate System of 1927, South Zone.

The parcel of land to which this description applies contains 3.63 acres, more or less, outside of the existing right of way.

TOGETHER WITH ALL abutter's rights of access between the above-described parcel and Grantors' remaining real property, EXCEPT, however,

3-5-90

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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
2949+50*	West	35 Ft.	Unrestricted

\* Joint use approach with files R6050004 and R6050006.

Grantors also grant to Grantee, its successors and assigns, a permanent easement for the construction, operation, and maintenance of a drainage facility over, under, and across the following described property:

**PARCEL 2 - Permanent Easement for Drainage Facilities**

A parcel of land lying in the SE~~4~~SE~~4~~ of Section 16, Township 34 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said SE~~4~~SE~~4~~ lying Northerly of that property described in that contract to Vito Vitarbo recorded in Book M-84, Page 18913 of Klamath County Record of Deeds; Southerly of a line at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Station 2946+00 and included in a strip of land 110 feet in width, lying on the Westerly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 2,600 square feet, more or less, outside of the existing right of way.

Grantors also grant to Grantee, its successors and assigns, a temporary easement for a work area for a road approach to be used by Grantee in connection with the reconstruction, widening and improvement of the Forge Rd.-Lobert Rd. (North Unit) Section of the relocated The Dalles-California Highway over and across the following described property:

**PARCEL 3 - Temporary Easement for Road Approach**

A parcel of land lying in the SE~~4~~SE~~4~~ of Section 16, Township 34 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said SE~~4~~SE~~4~~ lying Northerly of that property described in that contract to Vito Vitarbo recorded in Book M-84, Page 18913 of Klamath County Record of Deeds; Southerly of a line at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Station 2943+40 and included in a strip of land 110 feet in width, lying on the Westerly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 13,000 square feet, more or less, outside of the existing right of way.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate upon completion of the above-mentioned construction project.

IT IS ALSO UNDERSTOOD that the permanent and temporary easements herein granted do not convey any right or interest in the above-described Parcels 2 and 3, except as stated herein, nor prevent Grantors from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantors hereby covenant to and with Grantee, its successors and assigns, that they are the owners of all the above-described property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the property herein conveyed and the easement rights herein granted 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 FEE 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

\$ 4,075.00.

Dated this 4<sup>th</sup> day of May, 1990.

Robert L. Harris  
Robert L. Harris

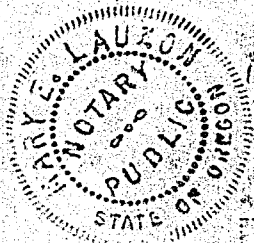
Frances J. Harris  
Frances J. Harris

STATE OF OREGON, County of Klamath

May 4, 1990. Personally appeared the above named Robert L. Harris and Frances J. Harris, who acknowledged the foregoing instrument to be their voluntary act.  
Before me:

Mary E. Lauson  
Notary Public for Oregon  
My Commission expires 12-19-92

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ael/ea



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 21st day of May A.D., 19 90 at 4:11 o'clock PM., and duly recorded in Vol. M90 of Deeds on Page 9644.

FEE \$18.00

Evelyn Biehn County Clerk  
By Orlene Mueland