

20351

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

Vol. m90 Page 18838

Highway Division
File 6043-001
9B-34-19

ORIGINAL

ASPEN 34154
WARRANTY DEED

BILLEE SCHRIEBER, GENE R. BYRNES, Individually, and GENE R. BYRNES, Trustee of the James Ray Byrnes Trust, GENE A. SCHRIEBER, MICHELLE R. GRATZ, JAMES M. BYRNES, and SHANNON G. BYRNES, now known as Shannon Van Dyke, Grantors, convey unto the CITY OF KLAMATH FALLS, Oregon, a municipal corporation, Grantee, fee title to the following described property:

PARCEL 1 - Fee

A parcel of land lying in Lot 1 of Section 18, Township 38 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being that property lying between lines at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Stations 69+00.47 and 71+57.36 and included in a strip of land variable in width, lying on the Northeasterly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 62+23.90, said station being 13.30 feet North and 1274.98 feet West of the Southeast corner of Section 18, Township 38 South, Range 9 East, W.M.; thence on a 5729.58 foot radius curve left (the long chord of which bears North 44° 51' 15" West 1320.17 feet) 1323.11 feet; thence North 51° 28' 11" West 952.99 feet to Engineer's center line Station 85+00.

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
69+00.47		70+50.44	119.94 in a straight line to 100.01
70+50.44		71+57.36	100.01 in a straight line to 75.04

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

The parcel of land to which this description applies contains 2,832 square feet, more or less, outside of the existing right of way.

SEP 19 3 42 PM '90

PARCEL 2 - Fee

A parcel of land lying in Lot 1 of Section 18, Township 38 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being that property lying between lines at right angles to the center line of the relocated The Dalles-California Highway at Engineer's Stations 74+50.41 and 79+00 and included in a strip of land variable in width, lying on the Northeasterly 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 Northeasterly Side of Center Line
74+50.41		76+50	74.97 in a straight line to 75
76+50		78+00	75 in a straight line to 100
78+00		79+00	100 in a straight line to 50

The parcel of land to which this description applies contains 17,008 square feet, 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 in Lot 1 and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, Township 38 South, Range 9 East, W.M., Klamath County, Oregon, and Grantors' remaining real property.

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 FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

8-17-90

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

\$ 4,100.

Dated this 17th day of August, 1990.

Billee Schrieber 8/20/90
Billee Schrieber
Gene A. Schrieber 8/20/90
by Gene A. Schrieber P.O.A.
Gene A. Schrieber

Michelle R. Gratz 8-20-90
Michelle R. Gratz

Gene R. Byrnes
Gene R. Byrnes, Individually
James Ray Byrnes Trust
by Gene R. Byrnes, Trustee
Gene R. Byrnes, Trustee

SHANNON G. BYRNES and JAMES M. BYRNES

By Gene R. Byrnes
GENE R. BYRNES, Attorney-in-Fact for
Shannon G. Byrnes and James M. Byrnes

STATE OF OREGON, County of KLAMATH

August 20, 1990. Personally appeared the above named Billee Schrieber, who acknowledged the foregoing instrument to be his voluntary act. Before me:

Harold Quibling
Notary Public for Oregon
My Commission expires 12/14/93

STATE OF OREGON, County of Marion

17 August, 1990. Personally appeared the above named Gene R. Byrnes, who acknowledged the foregoing instrument to be his voluntary act. Before me:

Kenneth H. Roefe
Notary Public for Oregon
My Commission expires 4-16-94

STATE OF OREGON, County of Marion

17 August, 1990. Personally appeared the above named Gene R. Byrnes, Trustee of the James Ray Byrnes Trust, and acknowledged the foregoing instrument to be his voluntary act. Before me:

Kenneth H. Roefe
Notary Public for Oregon
My Commission expires 4-16-94

STATE OF OREGON, County of KLAMATHAugust 20, 19 90 Personally appeared the above named Michelle R. Gratz, who acknowledged the foregoing instrument to be her voluntary act. Before me:Karl Dierberg
Notary Public for Oregon
My Commission expires 12/14/93STATE OF OREGON, County of MarionAugust, 19 90. Personally appeared the above named Gene R. Byrnes, who being duly sworn, did say that he is the Attorney-in-Fact for Shannon G. Byrnes and James M. Byrnes, and that he executed the foregoing instrument individually and by authority of and in behalf of said principal; and he acknowledged to me that as an individual and as Attorney-in-Fact for said principal, he executed the same freely and voluntarily for the uses and purposes herein mentioned. Before me:Kenneth H. Roefe
Notary Public for Oregon
My Commission expires 4-16-908-17-90
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ael/80

GENE A. SCHRIEBER

By BILLEE SCHRIEBER, Attorney-in-Fact
for Gene A. SchrieberSTATE OF OREGON, County of KLAMATHAugust 20, 19 90. Personally appeared the above named Billee Schrieber, who being duly sworn, did say that she is the Attorney-in-Fact for Gene A. Schrieber, and that she executed the foregoing instrument individually and by authority of and in behalf of said principal; and she acknowledged to me that as an individual and as Attorney-in-Fact for said principal, she executed the same freely and voluntarily for the uses and purposes herein mentioned. Before me:Karl Dierberg
Notary Public for Oregon
My Commission expires 12/15/93

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 19th day
of Sept. A.D., 19 90 at 3:42 o'clock P M., and duly recorded in Vol. M90,
of 18838 Deeds on Page 18838

FEE \$23.00

Evelyn Biehn, County Clerk

By Raula Mulindore