

21181

Vol. m90 Page 20313Highway Division
File 6068-007
9B-36-11

ORIGINAL

ASPEN 35464

WARRANTY DEED

GLADYS O. BREWER and WILLIAM BREWER, wife and husband, 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 SW $\frac{1}{4}$ NE $\frac{1}{4}$, the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M., Klamath County, Oregon; the said parcel being that portion of said subdivisions included in a strip of land variable in width, lying on the Northeasterly side of the center line of the Crater Lake Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 113+43.73 Back equals 111+42.49 Ahead, said station being 1845.41 feet South and 1015.91 feet East of the Northwest corner of lot 3, Section 6, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M.; thence South 48° 42' 16" East 1607.83 feet; thence on a 7639.44 foot radius curve left (the long chord of which bears South 50° 00' 34" East 347.97 feet) 348 feet; thence South 51° 18' 52" East 1901.68 feet to Engineer's center line Station 152+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
114+05.61		134+50	40
134+50		139+00	40 in a straight line to 50
139+00		141+50	50
141+50		145+00	50 in a straight line to 40
145+00		152+00	40

Bearings are based upon the Oregon Co-ordinate System of 1983, South Zone.

The parcel of land to which this description applies contains 1.61 acres, more or less, outside of the existing right of way.

PARCEL 2 - Fee

A parcel of land lying in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M., Klamath County, Oregon; the said parcel being that portion of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ included in a strip of land 45 feet in width, lying on

Highway Division
File 6068-007
9B-36-11

the Southwesterly side of the center line of the Crater Lake Highway as said highway has been relocated, which center line is described in Parcel 1.

The parcel of land to which this description applies contains 1,170 square feet, 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,

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
133+87	East	35 feet	Unrestricted
146+13	West	35 feet	Unrestricted
146+57	East	35 feet	Unrestricted

Grantors also grant to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes to be used by Grantee in connection with the reconstruction, widening and improvement of the Crater Lake Boundary-Fort Klamath Section of the relocated Crater Lake Highway over and across the following described property:

PARCEL 3 - Temporary Easement: For Work Area (3 years or duration of project)

A parcel of land lying in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 6, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M., Klamath County, Oregon; the said parcel being that portion of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying between lines at right angles to the center line of the relocated Crater Lake Highway at Engineer's Stations 122+00 and 122+40 and included in a strip of land 50 feet in width, lying on the Northeasterly 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 400 square feet, more or less.

IT IS UNDERSTOOD that the easement rights herein granted shall terminate three (3) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

Highway Division
File 6068-007
9B-36-11

IT IS ALSO UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described Parcel 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 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 \$1,315.00.

Dated this 20th day of September, 1990.

Gladys O. Brewer
Gladys O. Brewer

William Brewer
William Brewer

STATE OF OREGON, County of KLAMATH

September 20, 1990. Personally appeared the above named Gladys O. Brewer and William Brewer, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Randall Kalls
Notary Public for Oregon
My Commission expires 1-19-94

9-6-90
Page 3 - WD
asl/TWJ

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

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 8th day of Oct, 19 90 at 10:13 o'clock A.M., and duly recorded in Vol. m90 of Deeds on Page 20313

FEE \$18.00

Evelyn Biehn, County Clerk

By Randall Kalls

