

Highway Division  
File 6068-003  
9B-36-11

ORIGINAL

ASPEN 35462

## WARRANTY DEED

DEBORAH D. ROWLAND, CHERRY E. ROWLAND, MARK A. ROWLAND, and CINDY A. HAVICE,  
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 Lot 3, Lot 4, and the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 31,  
Township 32 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 80  
feet in width, 40 feet on each 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 37+63.75, said station being  
4824.53 feet North and 2527.34 feet West of the Southeast corner of Lot 4,  
Section 31, Township 32 South, Range 7 $\frac{1}{2}$  East, W.M.; thence South 30° 02' 47"  
East 2144.98 feet; thence on a 7639.44 foot radius curve right (the long chord  
of which bears South 27° 29' 59" East 678.91 feet) 679.14 feet; thence South  
24° 57' 11" East 3880.83 feet to Engineer's center line Station 104+68.70.

EXCEPT therefrom that property described in that deed to John M.  
Bastianelli, Jr., recorded in Book M-86, Page 20398 of Klamath County Record  
of Deeds.

ALSO EXCEPT therefrom that property described in that deed to Larry R.  
and Sherry L. LaFever, recorded in Book M-89, Page 24790 of Klamath County  
Record of Deeds.

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

The parcel of land to which this description applies contains 1.00 acre,  
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
72+00	West	35 feet	Unrestricted
89+76	West	35 feet	Unrestricted
81+60	East	35 feet	Unrestricted
91+40	East	35 feet	Unrestricted

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Grantors also grant to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the following described property:

**PARCEL 2 - Temporary Easement For Work Area (3 years or duration of project)**

A parcel of land lying in Lot 4, Section 31, Township 32 South, Range 7½ East, W.M., Klamath County, Oregon; the said parcel being that portion of said lot lying Southeasterly of a line at right angles to the center line of the relocated Crater Lake Highway at Engineer's Station 90+00 and included in a strip of land 50 feet in width, lying on the Southwesterly 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 1,750 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.

IT IS ALSO UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described Parcel 2, 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.

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The true and actual consideration received by Grantors for this conveyance is \$1,065.00.

Dated this 26th day of February, 1991.

x Deborah D. Rowland  
Deborah D. Rowland

x Cherry E. Rowland  
Cherry E. Rowland

x Mark A. Rowland  
Mark A. Rowland

x Cindy A. Havice  
Cindy A. Havice

STATE OF <sup>OHIO</sup> OREGON, County of Franklin

February 2, 1991. Personally appeared the above named Deborah D. Rowland, who acknowledged the foregoing instrument to be her voluntary act. Before me:

x Emily I. Hobson  
Notary Public for Oregon ~~OHIO~~

My Commission expires 2661 DEC 18 1992  
NOTARY PUBLIC STATE OF OHIO  
EMILY I. HOBSON

STATE OF OREGON, County of Jackson

February 14, 1991. Personally appeared the above named Cherry E. Rowland, who acknowledged the foregoing instrument to be her voluntary act. Before me:

x Karen Sullivan  
Notary Public for Oregon

My Commission expires 12/2/92

STATE OF <sup>ARIZONA</sup> OREGON, County of Maricopa

January 28, 1991. Personally appeared the above named Mark A. Rowland, who acknowledged the foregoing instrument to be his voluntary act. Before me:

x Debra V. Perkins  
Notary Public for ~~Oregon~~ ARIZONA

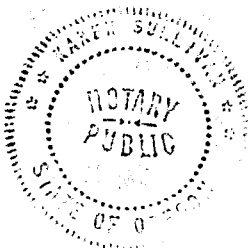
My Commission expires Commission Expires Apr. 9, 1992

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STATE OF OREGON, County of Jackson

Feb. 26, 1991. Personally appeared the above named Cindy A. Havice,  
who acknowledged the foregoing instrument to be her voluntary act. Before me:



Karen D. Sullivan  
Notary Public for Oregon

My Commission expires 12/2/92

9-18-90

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STATE OF OREGON,  
County of Klamath ss.

Filed for record at request of:

Aspen Title co.  
on this 18th day of March A.D., 19 91  
at 3:25 o'clock P.M. and duly recorded  
in Vol. M91 of Deeds Page 4873.  
Evelyn Biehn County Clerk  
By Pauline Neukirch Deputy.  
Fee, \$23.00

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