

32136

Vol. 91 Page 14078

Highway Division
File 6068010
9B-36-12

ASPLEIN 35465

DEED

HARRIS FARMS, INC., a California corporation and DAVID E. WOOD, aka David Wood,
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 S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 5, and Lot 10 of Section 4, 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 and Northerly 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 150+00, said station being 4193.74 feet South and 3818.81 feet East of the Northwest corner of Lot 3, Section 6, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M.; thence South 51° 18' 52" East 1174.34 feet; thence on a spiral curve left (the long chord of which bears South 55° 16' 17" East 499.05 feet) 500 feet; thence on a 1206.23 foot radius curve left (the long chord of which bears South 70° 06' 46" East 290.79 feet) 291.50 feet; thence on a spiral curve left (the long chord of which bears South 84° 57' 14" East 499.05 feet) 500 feet; thence South 88° 54' 39" East 3940.76 feet; thence on a spiral curve right (the long chord of which bears South 84° 57' 14" East 499.05 feet) 500 feet; thence on a 1206.23 foot radius curve right (the long chord of which bears South 53° 01' 50" East 981.44 feet) 1010.75 feet; thence on a spiral curve right (the long chord of which bears South 21° 06' 26" East 499.05 feet) 500 feet; thence South 17° 09' 01" East 2579.71 feet to Engineer's center line Station 259+97.06.

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

Station	to	Station	Width on Northeasterly and Northerly Side of Center Line
150+00		199+00	40
199+00		201+50	40 in a straight line to 60
201+50		204+50	60
204+50		207+00	60 in a straight line to 40
207+00		214+06.60	40
214+06.60		218+20	40 in a straight line to 60
218+20		219+06.60	60 in a straight line to 50
219+06.60		229+17.35	50

ALSO that portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 5, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M., Klamath County, Oregon lying Southerly of said center line and Northerly of the existing Crater Lake Highway.

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

The parcel of land to which this description applies contains 4.64 acres, more or less, outside of the existing right of way.

PARCEL 2 - Fee

A parcel of land lying in Lot 7, Section 9, Township 33 South, Range 7½ East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Harris Farms, Inc., and David E. Wood, recorded in Book M-87, Page 14037 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 Northeasterly 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 widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Northeasterly Side of Center Line
219+06.60		229+17.35	50
229+17.35		231+00	50 in a straight line to 55
231+00		234+17.35	55 in a straight line to 45

The parcel of land to which this description applies contains 2,430 square feet, more or less, outside of the existing right of way.

TOGETHER WITH all abutter's rights of access between the relocated Crater Lake 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 places, in the following widths and for the following purposes:

Hwy. Engr's Sta.	Side of Hwy.	Width	Purpose
167+18	N	35'	Unrestricted
206+35	N	35'	Unrestricted
220+02	N	35'	Unrestricted

PARCEL 3 - Fee

A parcel of land lying in Lot 12, Section 9, and Lot 5, Section 16, Township 33 South, Range 7½ East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Harris Farms, Inc., and David E. Wood, recorded in Book M-87, Page 14037 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip

of land 40 feet in width, lying on the Easterly 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 261+07.11, said station being 1753.94 feet North and 2268.72 feet West of the Southeast corner of Section 9, Township 33 South, Range 7½ East, W.M.; thence South 17° 25' 31" East 4814.77 feet to Engineer's center line Station 309+21.88.

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

The parcel of land to which this description applies contains 0.70 acre, more or less, outside of the existing right of way.

TOGETHER WITH ALL abutter's rights of access between the above-described Parcel 3 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
278+40	E	35'	Unrestricted

Grantors also grant to Grantee, its successors and assigns, temporary easements for work areas over and across the following described property:

PARCEL 4 - Temporary Easement For Work Area (3 years or duration of project)

A parcel of land lying in the S½SW¼ of Section 5, Township 33 South, Range 7½ East, W.M., Klamath County, Oregon; the said parcel being that portion of said S½SW¼ lying between lines at right angles to the center line of the relocated Crater Lake Highway at Engineer's Stations 165+70 and 168+20 and included in a strip of land 60 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 4,810 square feet, more or less.

PARCEL 5 - Temporary Easement For Work Area (3 years or duration of project)

A parcel of land lying in the S½SE¼ of Section 5, Township 33 South, Range 7½ East, W.M., Klamath County, Oregon; the said parcel being that

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portion of said S $\frac{1}{2}$ SE $\frac{1}{4}$ lying between lines at right angles to the center line of the relocated Crater Lake Highway at Engineer's Stations 193+25 and 193+80 and included in a strip of land 50 feet in width, lying on the Northerly 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 550 square feet, more or less.

PARCEL 6 - Temporary Easement For Work Area (3 years or Duration of project)

A parcel of land lying in Lot 7, Section 9, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Harris Farms, Inc., and David E. Wood, recorded in Book M-87, Page 14037 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southeasterly of a line at right angles to the center line of the relocated Crater Lake Highway at Engineer's Station 229+50 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
229+17.35		231+00	60 in a straight line to 65
231+00		234+17.35	65 in a straight line to 55

EXCEPT therefrom Parcel 2.

The parcel of land to which this description applies contains 1,720 square feet, more or less.

PARCEL 7 - Temporary Easement For Work Area (3 years or duration of project)

A parcel of land lying in Lot 12, Section 9, and Lot 5, Section 16, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Harris Farms, Inc., and David E. Wood, recorded in Book M-87, Page 14037 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 50 feet in width, lying on the Easterly side of the center line of the Crater Lake Highway as said highway has been relocated, which center line is described in Parcel 3.

EXCEPT therefrom Parcel 3.

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The parcel of land to which this description applies contains 15,030 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 easements herein granted do not convey any right or interest in the above-described Parcels 4, 5, 6, and 7, 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.

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

\$ 7,500.00.

Dated this 29 th day of April, 19 91.

HARRIS FARMS, INC. a California corporation

By David E. Wood
President

David E. Wood
David E. Wood, aka David Wood

By David E. Wood
Secretary

California
STATE OF ~~OREGON~~, County of Fresno

April 29, 19 91. Personally appeared the above named David E. Wood, aka David Wood, who acknowledged the foregoing instrument to be his voluntary act. Before me:

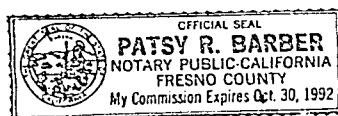


Patsy R. Barber
Notary Public for Oregon
My Commission expires 10/30/92

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STATE OF California, County of Fresno

April 29, 1991. Personally appeared David F. Wood
and Donald Devine, who, being sworn, stated that they are the ^{VICE} President
and Secretary of Harris Farms, Inc., a California corporation, and that this instrument
was voluntarily signed in behalf of the corporation by authority of its Board of
Directors. Before me:



Patsy R. Barber
Notary Public for California

My Commission expires 10/30/92

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

Aspen Title Co.

on this 18th day of July A.D., 1991
at 3:24 o'clock P.M. and duly recorded
in Vol. M91 of Deeds Page 14078.
Evelyn Biehn County Clerk

By Patsy R. Barber Deputy.

Fee, \$33.00

10-23-90
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RETURN TO
OREGON STATE HIGHWAY DIVISION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM, OREGON 97310