

35721

Highway Division
File 6068-013
9B-36-12ASPEN 35466
WARRANTY DEED

LMJ CATTLE COMPANY a partnership, Grantor, conveys 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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, and in Lot 1, Lot 2, Lot 3, Lot 4, the NW $\frac{1}{4}$ NW $\frac{1}{4}$, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, 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 Southerly and Westerly 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 174+65.84, said station being 5498.62 feet North and 8463.12 feet West of the Southeast corner of Section 9, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M.; 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; thence on a 22,918.31 foot radius curve left (the long chord of which bears South 17° 17' 16" East 110.04 feet) 110.05 feet; thence South 17° 25' 31" East 4814.77 feet to Engineer's center line Station 309+21.88.

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

Station	to	Station	Width on Southerly and Westerly Side of Center Line
174+65.84		214+06.60	45
214+06.60		219+06.60	45 in a straight line to 40
219+06.60		229+17.35	40
229+17.35		234+17.35	40 in a straight line to 41
234+17.35		259+97.06	41
259+97.06		261+07.11	41 in a straight line to 40.5
261+07.11		309+21.88	40.5

ALSO that portion of said Lot 1, Lot 2, Lot 3, Lot 4, and NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying Northerly and Easterly of said center line.

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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 3.41 acres, 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 Grantor's remaining real property, EXCEPT, however,

Reserving access rights for the service of Grantor's 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
205+80	S	35'	Unrestricted
231+27	W	35'	Unrestricted
251+22	W	35'	Unrestricted
252+51	W	35'	Unrestricted
254+14	W	35'	Unrestricted
277+93	W	35'	Unrestricted

Init *100* *LPO* *MEO*

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area 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 1, Section 9, Township 33 South, Range 7 $\frac{1}{2}$ East, W.M., Klamath County, Oregon; the said parcel being that portion of said lot lying between lines at right angles to the center line of the relocated Crater Lake Highway at Engineer's Stations 222+50 and 227+00 and included in a strip of land 60 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 8,627 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 Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

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Grantor covenants to and with Grantee, its successors and assigns, that it is the owner 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 Grantor for this conveyance is

\$ 7,500.00

Dated this 20th day of August, 1991.

LMJ CATTLE COMPANY, a partnership
consisting of _____

and _____

8-20-91 By _____

Partner

8-20-91 By _____

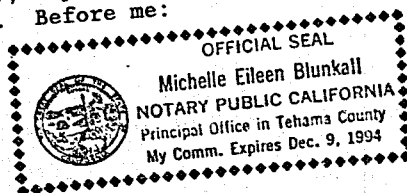
Partner

8-28-91 By _____

Partner

California
STATE OF ~~OREGON~~, County of _____ Tehama

8-20, 1991. Personally appeared the above named Lauren P. Owens & Mark E. Owens, who being sworn, stated that they are the partners of LMJ Cattle Company, a partnership, and acknowledged the foregoing instrument to be their voluntary act. Before me:



10-18-90
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nb/ael

Michelle Eileen Blunkall
Notary Public for ~~Oregon~~ California
My Commission expires 12-9-94

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

STATE OF CALIFORNIA
COUNTY OF YOLO

August 28, 1991. Personally appeared the above named James R. Owens, who being sworn, stated that they are the partners of LMJ Cattle Company, a partnership, and acknowledged the foregoing instrument to be his voluntary act. Before me:



Kristin K. Quandt
Notary Public for California
My Commission Expires January 16, 1995

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title Co. the 8th day
of Oct. A.D., 19 91 at 3:32 o'clock PM., and duly recorded in Vol. M91
of Deeds on Page 20911.

FEE \$23.00

Evelyn Biehn County Clerk

By Daniel M. Henderson