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## ASPEN 37077

Highway Division File 6076-006 10B-1-9

Vol. mgg Page 5035

WARRANTY DEED

W. E. KISER, Grantor, conveys unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, Grantee, fee title to the following described property:

A parcel of land lying in the NW1NE1 of Section 18, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that prop-erty described in that deed to W. E. Kiser and Norma A. Kiser, recorded in Book M-83, Page 3330 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 90 feet in width, lying on the Westerly side of the relocated The Dalles-California Highway which center line is described as follows:

Which center line is described as follows: Beginning at Engineer's center line Station 247+76.35, said station being 12,553.26 feet North and 905.45 feet West of the Southeast corner of Section 19, Township 39 South, Range 9 East, W.M.; thence South 20° 35' 30" West 255.81 feet; thence on a spiral curve left (the long chord of which bears South 19° 33' West 499.93 feet) 500 feet; thence on an 4583.66 foot radius feet) 2497.53 feet; thence on a spiral curve left (the long chord of which bears South 15° 50' 09" East 499.93 feet) 500 feet; thence South 16° 52' 39" East 1878.54 feet; thence on a spiral curve right (the long chord of which bears South 15° 50' 09" East 599.71 feet) 600 feet; thence on a 2864.79 foot radius curve right (the long chord of which bears South 6° 02' 16.5" East 483.38 feet) 483.96 feet; thence on a spiral curve right (the long chord of which bears South 2° 48' 07" West 599.71 feet) 600 feet; thence South 4° 48' 06" West 4533.62 feet; thence on a spiral curve right (the long chord of bears South 6° 11' 26" West 499.88 feet) 500 feet; thence on a 3437.75 foot 1461.30 feet) 1472.53 feet; thence on a spiral curve right (the long chord of which radius curve right (the long chord of which bears South 21° 14' 22" West 461.30 feet) 1472.53 feet; thence on a spiral curve right (the long chord of 1461.30 feet) 1472.53 feet; thence on a spiral curve right (the long chord of 8" West 2079.02 feet to Engineer's center line Station 411+77.36. 38" West 2079.02 feet to Engineer's center line Station 411+77.36.

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

The parcel of land to which this description applies contains 0.54 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 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.	
279	+ 55'	West	Purpose
1.11			unrestricted

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Grantee has the right to construct or otherwise provide at any future time a public frontage road or roads, or some other access road; whereupon all rights of access hereinabove reserved to and from the highway shall cease, but the Grantor, his heirs and assigns, shall have access to the frontage road or roads, or other access road for any purpose upon obtaining a permit from the State under the applicable statutes and regulations governing the same. Said road or roads shall be connected to the main highway or to other public ways only at such places as the Grantee may select.

The access rights reserved herein are subject to the statutes and regulations controlling access to the highway system. A standard Approach Road Permit must be applied for and obtained from the Highway Division's District Maintenance Office before construction is begun. When the State constructs the approach road, Grantor will be required to sign a standard Approach Road Permit to assure proper operation and maintenance of the approach road.

Grantor covenants to and with Grantee, its successors and assigns, that he is the owner 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 FLANNING DEPARTMENT TO VERIFY APPROVED USES.

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

\$ 72,500.00 ry . <u>1992</u>. *W. E. Kiser* E. Kiser Dated this 17th day of January STATE OF OREGON. County of KLAMATH 018 **JANUARY** 17, 1992, 1992. Personally appeared the above named W. E. Kiser, who acknowledged the foregoing instrument to be his voluntary act. Before me: Eurl ) in fins Notary Public for Ofegon My Commission expires 12/14/93 1-9-92 Page 2 - WD ae1/ RETURN TO Account No.: OREGON STATE HIGHWAY DIVISION Property Address:

RIGHT OF WAY SECTION 417 TRANSPORTATION BLDG. SALEM, OREGON 97310

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