

43915

DEEDVol. 192 Page 8702

WEYERHAEUSER COMPANY, a Washington corporation, Grantor, recognizing that public necessity requires that the herein described tract of land be made available forthwith to Grantee, notwithstanding Grantor's desire to retain the same, and desiring to avoid the delays and inconvenience incident to the acquisition of such lands by eminent domain, 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 Government Lots 10 and 11 of Section 18, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Weyerhaeuser Timber Company, recorded February 17, 1923 in Book 59, Page 548 of Klamath County Record of Deeds; said parcel being that portion of the 100-foot wide strip of land reserved and excepted by Weyerhaeuser Timber Company in a Deed, dated January 27, 1945, to Robert Warren Hunt and Doris Hunt, husband and wife, recorded February 9, 1945 in Vol. 173, Page 226, and within 100 feet of the center line of the relocated The Dalles-California Highway, 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 curve left (the long chord of which bears South 1° 51' 25.5" West 2466.75 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 14° 52' 40" 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 which bears South 6° 11' 26" West 499.88 feet) 500 feet;

Thence on a 3437.75 foot radius curve right (the long chord of which bears South 21° 14' 22" West 1461.30 feet) 1472.53 feet;

Thence on a spiral curve right (the long chord of which bears South 36° 17' 18" West 499.88 feet) 500 feet;

Thence South 37° 40' 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.

Subject as to said parcel to the rights of Klamath County by reason of a Right of Way Deed dated November 28, 1934, and recorded April 5, 1935 in Vol. 104, Page 430.

TOGETHER WITH ALL abutter's rights of access between the above-described Parcel and Grantor's remaining real property.

PARCEL 2 - Access Only

A tract of land lying in Government Lot 10 of Section 18, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being that portion of that property described in that deed to Weyerhaeuser Timber Company, recorded February 17, 1923 in Book 59, Page 548 of Klamath County Record of Deeds, lying with the 100-foot strip of land reserved and excepted by Weyerhaeuser Timber Company in a Deed, dated January 27, 1945, to Robert Warren Hunt and Doris Hunt, husband and wife, and recorded February 9, 1945 in Vol. 173, Page 226, and lying North-easterly of the existing The Dalles-California Highway.

Less and except any portion thereof lying within that certain Right of Way Deed to Klamath County, Oregon, dated November 28, 1934, and recorded April 5, 1935 in Vol. 104, Page 430.

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
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Complete restriction of access to parcel from The Dalles-California Highway (Hwy 97).			
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Grantor hereby expressly saves, excepts and reserves out of the grants hereby made, unto itself, its successors and assigns, forever, all geothermal steam and heat and all metals, ores and minerals of any nature whatsoever in or upon said land including, but not limited to, coal, lignite, peat, oil and gas, including coal seam gas, together with the right to take out and remove therefrom all such geothermal resources, metals, ores and minerals. Provided that Grantor, its successors and assigns, will not occupy or use the surface of said land and will not do any development, excavation or mining within a vertical depth of 500 feet. Grantor, its successors and assigns, shall, however, have the right to enter upon such land to conduct geophysical and geological surveys and other exploration. Grantee and Grantee's heirs, representatives, successors and assigns, shall be paid just and reasonable compensation for any injury or damage to the surface of said land, to the crops or to the improvements thereon caused by the exercise of any rights herein reserved; provided further, that the exercise of such rights by Grantor, its successors and assigns, shall not be postponed or delayed so long as Grantor is making reasonable efforts to agree upon or have determined such just and reasonable compensation.

Grantee has the right to construct or otherwise provide at any future time a public frontage road or roads; whereupon all rights of access hereinabove reserved to and from the highway that are on or adjacent to any such frontage road or roads shall cease, but the Grantor, its successors and assigns, shall have access to the frontage road or roads 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.

G92-83
Highway Division
File 6076-012
10B-1-9

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.

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 \$150.00.

Dated this 18th day of March, 1992.



WEYERHAEUSER COMPANY

By J. Whittig
Acquisitions and Valuation Manager,
Timberlands

Attest, Pamela M. Redmon
Assistant Secretary

STATE OF WASHINGTON)
County of King) ss.

March 18, 1992. Personally appeared J. Whittig and Pamela M. Redmon, who, being sworn, stated that they are Acquisitions and Valuation Manager, Timberlands and Assistant Secretary, respectively, of WEYERHAEUSER COMPANY, and that this instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:

G.W. BJERKE
STATE OF WASHINGTON
NOTARY - PUBLIC
My Commission Expires 3/20/96

G.W. Bjerk
Notary Public in and for the State of Washington.
My Commission expires: March 20, 1996

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

Account No.: 580561

STATE OF OREGON,
County of Klamath ss.

Filed for record at request of:

State of Oregon
on this 23rd day of April A.D. 19 92
at 10:00 o'clock A.M. and duly recorded
in Vol. M92 of Deeds Page 8702
Evelyn Biehn County Clerk
By Pauline Mueller
Deputy.

Fee, \$20.00