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Vol. m93 Page 5485#577 6th & Homedale  
Klamath Falls, OR  
3/8/93ASPEN  
01038251..GRANT OF RIGHT OF WAY

THIS INDENTURE is made this 24 day of March, 1993, by ALBERTSON'S, INC., a Delaware corporation ("Grantor"), to DONALD R. GRUENER and SUSAN E. GRUENER, husband and wife ("Grantees").

WHEREAS, Grantor is seized of an estate in fee simple of a parcel of land located in Klamath County, Oregon more particularly described on Schedule 1 attached hereto (the "Albertson's Property"), a portion of which is marked the Albertson's Property on Exhibit "A" attached hereto;

WHEREAS, Grantee is seized of an estate in fee simple of a parcel of land located in Klamath County, Oregon more particularly described on Schedule 1 (the "Grueners Property"), a portion of which is marked the Gruener Property on Exhibit "A";

WHEREAS, Grantor has agreed, for good and valuable consideration, to grant to Grantees an easement of right of way over the Albertson's Property for purposes of ingress and egress in and to the Gruener Property.

NOW, THEREFORE, Grantor hereby grants, bargains, sells and conveys to Grantees, and their successors in interest in the Grueners Property, a permanent easement over the portion of the Albertson's Property cross-hatched on Exhibit "A" and more particularly described in Schedule II attached hereto for ingress and egress to the Grueners Property from that certain Oregon State Highway commonly known both as Sixth Street and as Klamath Falls-Lakeview Highway.

IN WITNESS WHEREOF, this Grant of Right of Way is executed the day and year first above written.

ALBERTSON'S, INC., a Delaware corporation

By [Signature]  
Vice President, Real Estate Law

[Signature]  
Donald R. Gruener

[Signature]  
Susan E. Gruener

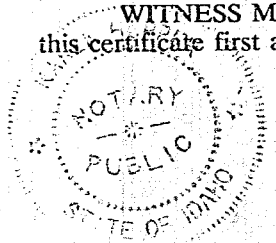
After Recording Return to:  
Rita L. Berry  
Dawley Tropeel Ennis & Dawley  
First Interstate Center  
Suite 1000  
P.O. Box 1617  
Bowie, Idaho 83701

GRANT OF RIGHT OF WAY - 1

STATE OF IDAHO )  
 ) ss.  
 County of Ada )

On this 12<sup>th</sup> day of March 1993, before me, Karen Hopper, a Notary Public in and for said State, personally appeared William H. Arnold, to me known to be Vice President, Real Estate Law of Albertson's, Inc., the corporation that executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

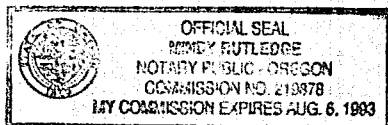


Karen Hopper  
 Notary Public for the State of Idaho  
 Residing at Boise, ID  
 My Commission Expires 8-21-98

STATE OF OREGON )  
 ) ss.  
 County of CLATSOP )

On this 9<sup>th</sup> day of MARCH, 1993, before me, MINDY RUTLEDGE, a Notary Public in and for said state, personally appeared DONALD R. GRUENER and SUSAN E. GRUENER, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Mindy Rutledge  
 Notary Public for the State of Oregon  
 Residing at CLATSOP FALLS  
 My Commission Expires 8-6-93

## SCHEDULE I

## ALBERTSON'S PROPERTY

## PARCEL 1:

Lot 1, Block 1, BAILEY TRACTS #2, in the County of Klamath, State of Oregon, EXCEPT THEREFROM any portion lying within the right of way of South 6th Street.

## PARCEL 2:

Beginning at a point 30 feet South and 432.1 feet West of the quarter section corner between Sections 1 and 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon; thence South 253.7 feet; thence North 70 degrees 19' West 74.3 feet; thence North 228.7 feet; thence East 70 feet to the point of beginning.

EXCEPT THEREFROM that portion conveyed to the State of Oregon, by and thru its State Highway Commission by deeds recorded August 13, 1964 in Book 355 at Page 300 and Book 355 at Page 304, Deed Records.

## PARCEL 3:

All that portion of the NE 1/4 of SE 1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at a point 30 feet South and 502.1 feet West of the quarter section corner between Sections 1 and 2, Township 39 South, Range 9 East of the Willamette Meridian; thence South 228.7 feet; thence North 70 degrees 19' West 74.3 feet; thence North 203.7 feet; thence East 70 feet to the place of beginning;

ALSO beginning at a point 30 feet South and 572.1 feet West of the quarter section corner between Sections 1 and 2, Township 39 South, Range 9 East of the Willamette Meridian; thence South 203.7 feet; thence South 72 degrees 30' West 101.7 feet; thence North 233.3 feet; thence East 96.9 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and thru its State Highway Commission by deeds recorded August 13, 1964 in Book 355 at Page 300 and Book 355 at Page 304, Deed Records.

CODE 41 MAP 3909-2DA TL 800  
CODE 41 MAP 3909-2DA TL 900  
CODE 41 MAP 3909-2DA TL 1200

## GRUEIER PROPERTY

A tract of land in the NE 1/4 SE 1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at a point 30 feet South of and 350.3 feet West of the quarter section corner between Sections 1 and 2, Township 39 South, Range 9 East of the Willamette Meridian; thence South 282.7 feet; thence North 70 degrees 19' West 86.9 feet; thence North 253.7 feet; thence East 81.8 feet to the place of beginning.

EXCEPTING THEREFROM that portion along the North boundary of said tract conveyed to the State of Oregon by deed recorded July 1, 1964 in Book 354 at Page 244, Deed Records.

CODE 41 MAP 3909-2DA TL 700

FROM :

PHONE NO. :

P87

5489

Owner  
Erwin R. Ritter, L.S.

SCHEDULE II

Owner  
Dennis A. Ensor

**TRU (SURVEYING) LINE**

TELEPHONE (503) 884-3891  
2333 SUMMERS LANE - KLAMATH FALLS, OREGON 97603

JANUARY 27, 1993

LEGAL DESCRIPTION  
OF  
EASEMENT FROM ALBERTSON'S TO GRUENER

A TRACT OF LAND SITUATED IN THE NE1/4 SE1/4 OF SECTION 2,  
T39S, R9EW, KLAMATH COUNTY, OREGON, MORE PARTICULARLY DESCRIBED  
AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THAT TRACT OF LAND  
DESCRIBED IN DEED VOLUME M90 PAGE 2677 OF THE KLAMATH COUNTY DEED  
RECORDS, FROM WHICH THE EAST 1/4 CORNER OF SAID SECTION 2 BEARS  
N84°58'45"E 433.61 FEET, SAID POINT ALSO BEING THE NORTHEAST  
CORNER OF THE PROPOSED ALBERTSON'S PARCEL; THENCE S00°00'28"W,  
ALONG THE EAST LINE OF SAID ALBERTSON'S PARCEL, 178 FEET; THENCE  
N89°43'42"W 45.00 FEET; THENCE N00°00'26"E 178 FEET TO THE  
SOUTHERLY RIGHT OF WAY LINE OF SOUTH 6TH STREET; THENCE  
S89°43'42"E 45.00 FEET TO THE POINT OF BEGINNING.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Dennis A. Ensor*

OREGON  
JULY 25, 1990  
DENNIS A. ENSOR  
2442

*Dennis A. Ensor*  
DENNIS A. ENSOR O.L.S. 2442

EXPIRATION: 12/31/93

EXHIBIT A



STATE OF OREGON: COUNTY OF KLAMATH: ss. \_\_\_\_\_ the 17th day  
Filed for record at request of Aspen Title Co  
of March A.D., 19 93 at 10:44 o'clock A M., and duly recorded in Vol. M93  
of \_\_\_\_\_ of Deeds on Page 5485  
Evelyn Biehn County Clerk  
By Pauline Mullendore  
FEE \$55.00