

9668

ORIGINAL

11-28-95A10:59 RCVD

Vol. m95 Page 32345ODOT
File 6188-004
10B-4-7

WARRANTY DEED

DAVID J. BETTENCOURT, Grantor, for the true and actual consideration of \$ 200⁰⁰ does convey unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, fee title to the property described on Exhibit "A" attached hereto and by this reference made a part hereof.

Grantor covenants to and with Grantee, its successors and assigns, that grantor 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.

Grantor agrees the consideration recited herein is just compensation for the property, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property and the construction or improvement of the highway.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

10-24-95

AFTER RECORDING RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM OR 97310

Account No.: 3909 10BC 1100

Property Address: _____

32346

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It is understood and agreed that the delivery of this deed is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 14 day of November, 1995


David J. Bettencourt

STATE OF OREGON, County of Klamath
November 14, 1995. Personally appeared the above named David J. Bettencourt, who acknowledged the foregoing instrument to be his voluntary act. Before me:




Notary Public for Oregon

My Commission expires 5/11/98

EXHIBIT A

File R6188004

David J. Bettencourt and

Diana L. Bettencourt

CLM 9-14-93 10B-4-7

Survey Approval Project

Section: Hilyard Ave. - Laverne Ave. (Klamath Falls)

Highway: Midland

Non-Throughway

Fee

A parcel of land lying in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to David J. Bettencourt and Diana L. Bettencourt, recorded in Book M-86, Page 7140 of Klamath County Record of Deeds; the said parcel being that portion of said property described as follows:

Beginning on the South line of said property at a point 8.00 feet Easterly of the Southwest corner of said property; thence Westerly along said South line 8.00 feet to said Southwest corner; thence Northerly along the West line of said property, a distance of 8.00 feet; thence Southeasterly in a straight line to the point of beginning.

The parcel of land to which this description applies contains 32 square feet, more or less.

clm

14 SEP 93

NOTE: Access Controlled by Permit.

Outside area: 22,500 square feet, more or less, left.

Prior files: 38082 and RW26720.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of State of Oregon Dept of Transportation the 28th day
of November A.D., 19 95 at 10:59 o'clock A M., and duly recorded in Vol. M95
of Deeds on Page 32345.

FEE \$40.00

Bernetha G. Letsch, County Clerk
By Annette Mueller