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ORIGINAL

Vol 96 Page 16829

ODOT  
File 6328-027  
10B-7-35

## WARRANTY DEED

W.D. 500.00 V.P.  
of \$ 350.00  
DONALD D. PHELPS and VIOLA PHELPS, husband and wife, Grantor, for the true and actual consideration does convey unto the KLAMATH COUNTY, a political subdivision of the State of Oregon, Grantee, fee title to the following described property:

A parcel of land lying in Tract 25, ALTAMONT SMALL FARMS, Klamath County, Oregon; the said parcel being that portion of said tract lying Westerly of that property described in that deed to Joel P. Nelson and Rosalyce L. Nelson, recorded October 18, 1981 in Volume M81, Page 18223 of Klamath County Record of Deeds.

This parcel of land contains 6500 square feet, more or less.

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 public way.

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 WARRANTY DEED IS GIVEN TO GRANTEE IN SATISFACTION OF GRANTEE'S ACTION IN EMINENT DOMAIN TO ACQUIRE THE DESCRIBED PROPERTY.

4-22-96

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

Account No.: 579127 39 09 015CA 01700

Property Address: Bare Land

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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 LAWS/SUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon Klamath County, a political subdivision of the State of Oregon, unless and until accepted and approved by the recording of this document.

Dated this 7<sup>th</sup> day of MAY, 1996.

Donald D. Phelps

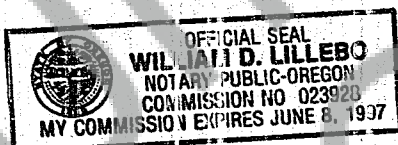
Donald D. Phelps

Viola Phelps

Viola Phelps

STATE OF OREGON, County of KLAMATH

MAY 07, 1996. Personally appeared the above named Donald D. Phelps and Viola Phelps, who acknowledged the foregoing instrument to be their voluntary act. Before me:



William D. Lillebo  
Notary Public for Oregon

My Commission expires June 08, 1997

After recording return to Public Works

## EXHIBIT A

File 6326027

Washburn Way Intchge. & Hilyard Ave. to Joe Wright Rd. Secs.  
 Midland Highway  
 Klamath County  
 Drg. No. 10B-7-35  
 Non-Throughway  
 c/m 4-8-96

Donald D. Phelps and Viola Phelps

## Fee

A parcel of land lying in Tract 25, ALTAMONT SMALL FARMS, Klamath County, Oregon; the said parcel being that portion of said tract lying Westerly of that property described in that deed to Joel P. Nelson and Rosalyce L. Nelson, recorded October 16, 1981 in Volume M81, Page 18223 of Klamath County Record of Deeds.

This parcel of land contains 6500 square feet, more or less.

NOTE: Entire taking.

This parcel lies within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Sec 15, T 39 S, R 9 E, WM.  
 This parcel is: Tax Lot 1700 of 39S-9E-15CA.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 10th day  
 of June A.D., 1996 at 11:08 o'clock A.M., and duly recorded in Vol. M96  
 of Deeds on Page 16829

Bernetha G. Letsch, County Clerk

By [Signature]

FEE No Fee Return: Public Works