

19463

96 JUN 10 AM 10:08

Vol. m96 Page 16838ODOT  
File 6326-004  
10B-7-35

## WARRANTY DEED

WESGO, a OREGON partnership, Melvin L. Stewart and Ben Menold authorized signers, Grantor, for the true and actual consideration of \$184,000 does convey unto KLAMATH COUNTY, a political subdivision of the State of Oregon, Grantee, fee title to the following described property:

## PARCEL 1 - Fee

A parcel of land lying in the N½SE¼ of Section 16, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to WESGO, recorded January 9, 1976 in Volume M76, Page 429 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Northeasterly of that property described in that deed to Klamath County, recorded September 13, 1982 in Volume M82, Page 12035 of Klamath County Record of Deeds and Southerly of the following described line:

Beginning at a point opposite and 100.00 feet Northeasterly of Engineer's Station 'NSK'212+57.19 on the centerline of the relocated South Klamath Falls Highway; thence Southeasterly in a straight line to a point opposite and 130.00 feet Northeasterly of Engineer's Station 'NSK'217+00.00 on said centerline; thence Southeasterly in a straight line to a point opposite and 140.00 feet Northeasterly of Engineer's Station 'NSK'220+74.15 on said centerline; thence Easterly in a straight line to a point opposite and 170.00 feet Northeasterly of Engineer's Station 'NSK'224+00.00 on said centerline; thence Easterly in a straight line to a point opposite and 330.00 feet Northeasterly of Engineer's Station 'NSK'226+74.15 on said centerline; thence Easterly in a straight line to a point opposite and 200.00 feet Westerly of Engineer's Station 'WW'57+00.00 on the centerline of relocated Washburn Way; thence Northerly in a straight line to a point opposite and 140.00 feet Westerly of Engineer's Station 'WW'53+00.00 on the centerline of relocated Washburn Way; thence Northeasterly in a straight line to a point opposite and 80.00 feet Westerly of Engineer's Station 'WW'52+00.00 on the centerline of relocated Washburn Way.

The centerline of the relocated South Klamath Falls Highway is described as follows:

Beginning at Engineer's centerline Station 'NSK'202+80.34, said station being 3,492.586 feet North and 2,264.083 feet West of the Southeast corner of Section 16, Township 39 South, Range 9 East, W.M.; thence South 33° 28' 25" East 176.85 feet; thence on a spiral curve left (the long chord of which bears South 36° 08' 23" East 709.31 feet) 800.00 feet; thence on a 2,864.79 foot radius curve left (the long

5-8-98

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

Account No.: R3909-001600-00400-000

Property Address: Bare Land

ODOT  
File 6328-004  
10B-7-35

chord of which bears South 49° 38' 35" East 814.19 feet) 816.98 feet; thence on a spiral curve left (the long chord of which bears South 62° 33' 48" East 599.48 feet) 600.00 feet; thence on a 7,639.44 foot radius curve left (the long chord of which bears South 77° 32' 58" East 3,042.61 feet) 3,063.08 feet; thence South 89° 02' 09" East 422.66 feet to Engineer's centerline Station 'NSK'261+59.89.

The centerline of relocated Washburn Way is described as follows:

Beginning at Engineer's centerline Station 'WW'36+10.41, said station being 4,338.02 feet North and 53.87 feet East of the Southeast corner of Section 16, Township 39 South, Range 9 East, W.M.; thence South 0° 18' 39" West 3,822.88 feet to Engineer's centerline Station 'WW'74+33.29.

EXCEPT therefrom that property described in that deed to Pape' Properties, Inc., recorded October 16, 1991 in Volume M81, Page 21602 of Klamath County Record of Deeds.

Bearings are based upon County Survey No. 3565, filed November 16, 1981 in Klamath County, Oregon.

This parcel of land contains 10.28 acres, more or less.

#### PARCEL 2 - Fee

A parcel of land lying in the N $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 16, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to WESGO, recorded January 9, 1976 in Volume M76, Page 429 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Northeasterly of that property described in that deed to Klamath County, recorded September 13, 1982 in Volume M82, Page 12035 of Klamath County Record of Deeds.

EXCEPT therefrom that property described in that deed to Pape' Properties, Inc., recorded October 16, 1991 in Volume M81, Page 21602 of Klamath County Record of Deeds.

ALSO EXCEPT therefrom Parcel 1.

This parcel of land contains 13.0 acres, 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 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 WARRANTY DEED IS GIVEN TO GRANTEE IN SATISFACTION OF GRANTEE'S ACTION IN EMINENT DOMAIN TO ACQUIRE THE DESCRIBED PROPERTY.**

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 10<sup>th</sup> day of May, 1996

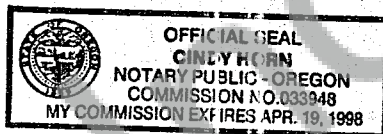
WESGO, a OREGON partnership, Melvin L. Stewart and Ben Menold authorized signers

By Melvin L. Stewart  
Melvin L. Stewart, authorized signer

By Ben Menold  
Ben Menold, authorized signer

STATE OF OREGON, County of Marion

May 10<sup>th</sup>, 1996. Personally appeared the above named Melvin L. Stewart, as authorized signer, who being sworn, stated that he is a partner of Wesgo, a OREGON partnership, and acknowledged the foregoing instrument to be his voluntary act. Before me:

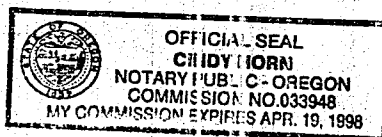


Cindy Horn  
Notary Public for Oregon

My Commission expires April 19, 1998

STATE OF Oregon, County of Marion

May 10<sup>th</sup>, 1996. Personally appeared the above named Ben Menold, as authorized signer, who being sworn, stated that he is a partner of Wesgo, a OREGON partnership, and acknowledged the foregoing instrument to be his voluntary act. Before me:



Cindy Horn  
Notary Public for Oregon

My Commission expires April 19, 1998

5-8-98  
Page 3 - WD  
sel/

After recording return to  
Klamath County Public Works

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 AM., and duly recorded in Vol. M96  
of Deeds on Page 16838

FEE No Fee

Bernetha G. Letsch, County Clerk

By Cindy Russell