

20949

96 JUL -8 P245

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ODOT  
File 6328-011  
10B-7-35

## WARRANTY DEED

CHRIS C. KERNS, Grantor, for the true and actual consideration of \$3,750----- 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 Tract 4, ALTAMONT SMALL FARMS, Klamath County, Oregon; the said parcel being that portion of said tract lying Easterly of that property described in that deed to Klamath County, recorded September 4, 1991 in Volume M91, Page 17665 of Klamath County Record of Deeds; lying Southerly of a line at right angles to the centerline of relocated Washburn Way at Engineer's Station 'WW'50+00.00; and included in a strip of land variable in width, lying on the Easterly side of said centerline, which centerline 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.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Easterly Side of Centerline
'WW'50+00.00		'WW'51+00.00	65.20 in a straight line to 75.00
'WW'51+00.00		'WW'53+00.00	75.00

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

This parcel of land contains 1.955 square feet, more or less.

It is specifically understood that the access rights opposite Highway Engineer's Station 51+50 is to be used and enjoyed in common with the adjoining property owner on the South, who currently is Donald B. Trunnel and Esther M. Trunnel, husband and wife, (File No. 6328-011).

3-28-80

AFTER RECORDING RETURN TO  
OREGON DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY SECTION  
417 TRANSPORTATION BLDG  
SALEM, OR 97340

Account No.: 3909-15BC 01400-000

Property Address: Bare Land

Grantor also grants to Grantee, its successors and assigns, a permanent easement for the construction, operation, and maintenance of a road approach over and across the following described property:

**PARCEL 2 - Permanent Easement for Road Approach**

A parcel of land lying in Tract 4, ALTAMONT SMALL FARMS, Klamath County, Oregon; the said parcel being that portion of said tract lying Easterly of Parcel 1; lying Southerly of a line at right angles to the centerline of relocated Washburn Way at Engineer's Station WVV51+00.00; and included in a strip of land 200.00 feet in width, lying on the Easterly side of said centerline, which centerline is described in Parcel 1.

This parcel of land contains 17,530 square feet, more or less.

IT IS UNDERSTOOD that this easement does not convey any right or interest in the above-described Parcel 2, except for the purposes stated herein.

Grantor covenants to and with Grantee, its successors and assigns, that grantor is the owner of all the above-described property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the property herein conveyed and the easement rights herein granted 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, when 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 LAWSUITS 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 6 day of June, 1996

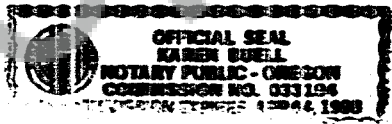
Chris C. Kerns  
Chris C. Kerns

STATE OF OREGON, County of Klamath

June 6 1996 Personally appeared the above named Chris C. Kerns, who acknowledged the foregoing instrument to be his voluntary act. Before me:

Karen Buell  
Notary Public for Oregon

My Commission expires April 4, 1998



3-29-98  
Page 3 - WD  
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After recording return to Public Works Department  
STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of PUBLIC WORKS the 8th day  
of July A.D., 19 96 at 2:45 o'clock P M., and duly recorded in Vol. M96  
of Deeds on Page: 20146

FEE NONE

Bernetha G. Letsch, County Clerk  
By Pauline Mulendore