

25544

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ORIGINAL

 ODOT
 File 6326-009
 10B-7-35

WARRANTY DEED

R & B ENTERPRISE, an Oregon co-partnership consisting of Bernard DeGroot and Ronald J. Sumner, Grantor, for the true and actual consideration of \$25,000.00 *RS* *BJG* does convey unto 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 26, ALTAMONT SMALL FARMS, Klamath County, Oregon and being a portion of that property described in that contract of sale to R & B Enterprise, recorded August 8, 1988 in Volume M88, Page 12726 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southerly of the following described line:

Beginning at a point opposite and 39.84 feet Northerly of Engineer's Station "FR"4+30.60 on the "FR" centerline; thence Easterly in a straight line to a point opposite and 30.94 feet Northerly of Engineer's Station "FR"6+68.84 on said centerline; thence Easterly in a straight line to a point opposite and 35.00 feet Northerly of Engineer's Station "FR"13+30.00 on said centerline; thence Northeasterly in a straight line to a point opposite and 55.00 feet Northerly of Engineer's Station "FR"13+50.00 on said centerline, which centerline is described as follows:

Beginning at Engineer's centerline Station "FR"0+00.00, said station being 1793.71 feet North and 1334.33 feet East of the Southwest corner of Section 15, Township 39 South, Range 9 East, W.M.; thence South 88° 29' 35" East 371.18 feet; thence on a 400.00 foot radius curve right (the long chord of which bears South 79° 58' 57" East 118.40 feet) 118.83 feet; thence South 71° 28' 18" East 119.41 feet; thence on a 400.00 foot radius curve left (the long chord of which bears South 79° 58' 57" East 118.40 feet) 118.83 feet; thence South 88° 29' 35" East 643.49 feet to Engineer's centerline Station "FR"13+71.74.

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

This parcel of land contains 1.07 acres, more or less.

Grantee will construct a public frontage road along the south side of the above described property, and Grantor and Grantor's heirs, successors and assigns, shall be entitled to access to said road for any purpose. Said road shall be connected to Altamont Drive and Avalon Street.

Hwy. Engr's Sta.	Side of Road	Width	Purpose
FR12+45 Lt	North	20 Feet	Unrestricted

5-31-88

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

Account No.: 3909-015CA 01000

Property Address: 5640 Altamont Drive
 Klamath Falls OR 97603

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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 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 18th day of July, 1996.

Sumner

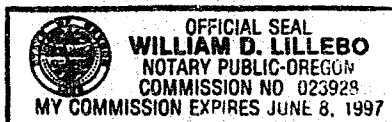
R & B ENTERPRISE, an Oregon co-partnership
consisting of Bernard DeGroot and Ronald J.

By Bernard DeGroot
Bernard DeGroot, Co-Partner

By Ronald J. Sumner
Ronald J. Sumner, Co-Partner

STATE OF OREGON, County of KLAMATH

July 18, 1996. Personally appeared the above named Bernard DeGroot and Ronald J. Sumner, who being sworn, stated that they are the Co-Partners of R & B Enterprise, an Oregon co-partnership, and acknowledged the foregoing instrument to be their voluntary act. Before me:



William D. Lillebo
Notary Public for Oregon

My Commission expires June 8, 1997

5-31-96
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After recording return
to Klamath County
Public Works

Approved as to those provisions
concerning Klamath County's Frontage
Road and Grantor's access to it:

Dennis Nelson
Dennis Nelson, Klamath County Engineer

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Public Works the 23rd day
of Sept. A.D., 1996 at 2:51 o'clock P. M., and duly recorded in Vol. M96
of Deeds on Page 30112

FEE No Fee:

County Clerk:
By Kathleen Ross

Withdrawn Sept. 23 1996 Document # 25545

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