

96 DEC 13 23

ORIGINAL

 ODOT
 File 6279-004
 1R-3-1653

WARRANTY DEED

DAVID T. WILLIAMS and DIANE B. WILLIAMS, husband and wife, Grantor, for the true and actual consideration of \$ 8,250.00 does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the following described property:

PARCEL 1 - Fee

A parcel of land lying in the SE 1/4 of Section 13, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to David T. Williams and Diane B. Williams, recorded in Book M-87, Page 14281 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of the relocated Klamath Falls - Malin Highway which center line is described as follows:

Beginning at Engineer's center line Station 0+000, said station being 810.021 meters North and 0.274 meter East of the Southwest corner of Section 18, Township 39 South, Range 10 East, W.M.; thence South 0° 01' 10" West 810.021 meters to Engineer's center line Station 0+810.021.

The widths in meters of the strip of land above referred to are as follows:

Station	to	Station	Width on Westerly Side of Center Line
0+320		0+480	20 in a straight line to 31
0+480		0+600	31 in a straight line to 30
0+600		0+700	30 in a straight line to 20

Bearings are based on County Survey No. 2034, dated December 6, 1978, Klamath County, Oregon.

The parcel of land to which this description applies contains 3 490 square meters, more or less.

11-4-96

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

Account No.: R537559 R-3909-01300-00800-000

Property Address: 5820 Highway 39
 Klamath Falls OR 97803

25

ORIGINAL

ODOT
File 6279-004
1R-3-1833

38847

Grantor also grants to Grantee, its successors and assigns, a permanent easement for construction, reconstruction, and maintenance of irrigation facilities, and appurtenances, over, upon, and across the following described property:

PARCEL 2 - Permanent Easement for Irrigation Facilities

A parcel of land lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 33 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to David T. Williams and Diane B. Williams, recorded in Book M-87, Page 14281 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 6.100 meters in width, lying Westerly of and adjoining the Westerly line of Parcel 1.

The parcel of land to which this description applies contains 1 105 square meters, more or less.

Grantee, by virtue of this easement, shall have the right to go upon the above-described Parcel 2 for the purpose of making those certain changes in the irrigation facilities now constructed or to be constructed on said property, or property adjoining thereto, it being understood that the rights of the owner of said relocated irrigation facilities shall be the same as previously existed in that portion of the irrigation facilities which is being relocated.

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

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the following described property:

PARCEL 3 - Temporary Easement For Work Area (3 years or duration of project)

A parcel of land lying in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 13, Township 33 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to David T. Williams and Diane B. Williams, recorded in Book M-87, Page 14281 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Northerly of a line at right angles to the center line of the relocated Klamath Falls - Malin Highway at Engineer's Station 0+500 and included in a strip of land variable in width, lying on the Westerly side of said center line which center line is described in Parcel 1.

ORIGINAL

ODOT
File 6279-004
1R-3-1653

38848

The widths in meters of the strip of land above referred to are as follows:

Station	to	Station	Width on Westerly Side of Center Line
0+400		0+480	25 in a straight line to 47
0+480		0+500	47 in a straight line to 29

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 255 square meters, more or less.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate three (3) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcel, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

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 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 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.

ORIGINAL

ODOT
File 8279-004
1R-3-1653

38849

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 the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 14th day of November, 1996.

David T. Williams

David T. Williams

Diane B. Williams

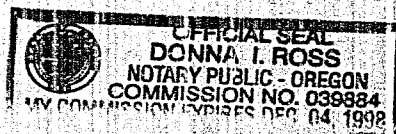
Diane B. Williams

STATE OF OREGON, County of Klamath

November 14th, 1996. Personally appeared the above named David T. Williams and Diane B. Williams, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Donna I. Ross
Notary Public for Oregon

My Commission expires 12-04-98



11-4-96
Page 4 - WD
ael/

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 13th day
of December A.D., 1996 at 3:48 o'clock P. M., and duly recorded in Vol. M96
of Deeds on Page 38846

FEE \$25.00

County Clerk
by Bernetha Letsch

Kathleen Ross