

WARRANTY DEED

CITY OF KLAMATH FALLS, a Municipal Corporation of the State of Oregon, Grantor, for the true and actual consideration of \$48,700.00 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 tract of land lying in the SW1/4 SW1/4 of Section 15 and the NW1/4 NW1/4 of Section 22, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and being a portion of that property designated as Parcel 2 in County Survey No. 5286, filed September 18, 1992, in Klamath County, Oregon; the said tract being that portion of said Parcel 2 lying Northwesterly of a line at right angles to the centerline of the relocated South Klamath Falls Highway at Engineer's Station 'NSK'239+40.00.

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 of the Willamette Meridian; 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 799.31 feet) 800.00 feet; thence on a 2,864.79 foot radius curve left (the long chord of which bears South 49° 38' 35" East 814.19 feet) 816.96 feet; thence on a spiral curve left (the long chord of which bears South 62° 33' 46" 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.

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

This tract of land contains 3.71 acres, more or less.

PARCEL 2 - Fee

A tract of land lying in the SE1/4 SW1/4 of Section 15, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon and being a portion of that property designated as Parcel 2 in County Survey No. 5286, filed September 18, 1992, in Klamath County, Oregon; the said tract being that portion of said Parcel 2 included in a strip of land variable in width, lying on the Southerly side of the centerline of the relocated South Klamath Falls Highway, which centerline is described in Parcel 1.

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

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Southerly Side of Centerline</u>
'NSK'251+70.00		'NSK'259+10.00'	160.00 in a straight line to 150.00
'NSK'259+10.00		'NSK'259+75.00	150.00 in a straight line to 245.00

This tract of land contains 1.91 acres, more or less.

TOGETHER WITH all abutter's rights of access between the above-described parcels and Grantor's remaining real property.

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 17th day of December, 1996

APPROVED AS TO FORM:

Jeffrey D. Ball
Jeffrey D. Ball, City Counsel

CITY OF KLAMATH FALLS:

Todd Kellstrom
Todd Kellstrom, Mayor

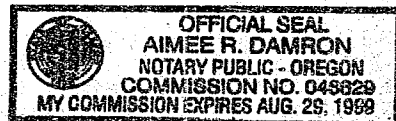
Elisa D. Fritz
Elisa D. Fritz, City Recorder

STATE OF OREGON)

) ss

County of Klamath)

December 17, 1996 Personally appeared Todd Kellstrom
and Elisa D. Fritz, who, being sworn, stated that they are the Mayor and City Recorder of the City of Klamath Falls, a Municipal Corporation, and that this instrument was voluntarily signed in behalf of said municipal corporation.



Aimee R. Damron
Notary Public for Oregon.
My Commission Expires 08/29/99

After recording return to
Klamath County Public Works

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STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 3rd day
of January A.D., 19 97 at 10:29 o'clock A M., and duly recorded in Vol. M97
of Deeds on Page 99

FEE NONE

Bernetha G. Letsch, County Clerk

Spencer Freitag