

97 JAN 23 AM 149

ODOT  
File 6188-006  
10B-47

## WARRANTY DEED

DALE HIMELWRIGHT and LOIS M. HIMELWRIGHT, husband and wife,, Grantor, for the true and actual consideration of \$ 775.00 does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the following described property:

A parcel of land lying in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; the said parcel being that portion of said SW $\frac{1}{4}$ SW $\frac{1}{4}$  described as follows:

Beginning on the East line of that property described in that deed to the State of Oregon, by and through its State Highway Commission, recorded January 17, 1966 in Volume M86, Page 489 of Klamath County Record of Deeds at a point 10.00 feet Northerly of the Southeast corner of said property; thence Southerly along said East line 10.00 feet to said Southeast corner on the North line of Hillyard Avenue; thence Easterly along said North line 20.00 feet; thence Northwesterly in a straight line to the point of beginning.

This parcel of land contains 100 square feet, 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 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.

11-15-96

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

Account No.: R527371 3909-3CC-400

Property Address: 2977 Washburn Way  
Klamath Falls OR 97603

2024

ODOT  
File 6188-008  
10B-4-7

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

Dated this 8 day of Jan, 1997

Dale Himelwright  
Dale Himelwright

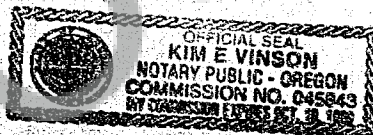
Lois M. Himelwright  
Lois M. Himelwright

STATE OF OREGON, County of Klamath

Jan 8, 1997. Personally appeared the above named Dale Himelwright and Lois M. Himelwright, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Kim E. Vinson  
Notary Public for Oregon

My Commission expires Oct. 10, 1999





2011

EXHIBIT: G  
 FILE NO.: R6188.006  
 DATE: 11-22-96

# REPURCHASE OF IMPROVEMENTS

As an essential part of this transaction and for the sum of \$ 50.00, which is to be withheld from the consideration to be paid by State. Grantors agree to repurchase from State the following described improvement(s) and structure(s):

4' x 8' double-faced reader board with metal supports.

It is agreed that said building(s) and structure(s) shall be removed from the optioned property herein described prior to February 22, 19 97.

In the event any building or other item proposed to be moved for the use and benefit of Grantors is destroyed or damaged before moving to an extent sufficient to render the same unusable, State shall not be obligated to make payment for the cost of moving or reestablishing the same.

IT IS UNDERSTOOD THAT ACCEPTANCE OF THIS OPTION BY THE OREGON TRANSPORTATION COMMISSION DOES NOT CARRY WITH IT ANY RIGHT OR PERMISSION TO MOVE ANY BUILDING OR STRUCTURE ALONG, OVER OR ACROSS ANY HIGHWAY, ROAD OR STREET.

In order to protect Grantors and State from creating a potentially dangerous condition or an "attractive nuisance," State reserves the right, and without notice to Grantors, to enter upon the property within 24 hours after any building and structure have been removed from the foundation by Grantors and fill any basement, land depression or hole that may exist under the building without liability or damages to Grantors.

Date Himelwright Lois M. Himelwright

Lois M. Himelwright Lois M. Himelwright

Dale's Social Security # 542-14-5572

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Oregon Department of Transp.  
 of January A.D. 19 97 at 11:49 o'clock A. M. and duly recorded in Vol. M97  
 of Deeds on Page 2009

FEE \$20.00

by Bernetha G. Letsch County Clerk  
Kristen Ross