

32373

ATC: 04045288

Vol. 1197 Page 3478

ORIGINAL

ODOT
File 0279-002
1R-3-1653

WARRANTY DEED

KENNETH B. JOHNSON and DEBORAH A. JOHNSON, husband and wife, Grantor, for the true and actual consideration of ~~\$6,000.00~~ 11,200.00 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 Lots 3 and 4 of Section 18, Township 39 South, Range 10 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Kenneth B. Johnson and Deborah A. Johnson, recorded in Book M-90, Page 7444 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 Easterly 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 Easterly Side of Center Line
0+300		0+340	9.144 in a straight line to 25 25
0+340		0+560	

Bearings are based on County Survey No. 2834, dated December 6, 1978, Klamath County, Oregon.

The parcel of land to which this description applies contains 1 926 square meters, more or less.

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:

11-8-96

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

Account No.: R597866 R-3910-01800-01000-000

Property Address: 5407 Highway 39
Klamath Falls OR 97603

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PARCEL 2 - Temporary Easement For Work Area (3 years or duration of project)

A parcel of land lying in Lot 4 of Section 18, Township 39 South, Range 10 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Kenneth B. Johnson and Deborah A. Johnson, recorded in Book M-90, Page 7444 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southerly of a line at right angles to the center line of the relocated Klamath Falls - Malin Highway at Engineer's Station 0+440 and included in a strip of land variable in width, lying on the Easterly side of said center line which center line is described in Parcel 1.

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

Station	to	Station	Width on Easterly Side of Center Line
0+440		0+480	26 in a straight line to 55
0+480		0+523	55 in a straight line to 47

EXCEPT therefrom Parcel 1.

The parcel of land to which this description applies contains 230 square meters, more or less.

IT IS UNDERSTOOD that the 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 easement herein granted does not convey any right or interest in the above-described Parcel 2, 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.

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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.

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 21 day of JANUARY, 1997

Kenneth B. Johnson
Kenneth B. Johnson

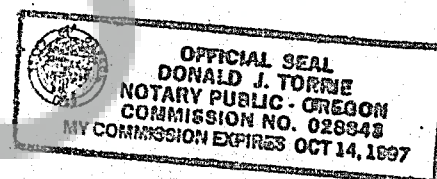
Deborah A. Johnson
Deborah A. Johnson

STATE OF OREGON, County of KLAMATH

On JANUARY 21, 1997. Personally appeared the above named Kenneth B. Johnson and Deborah A. Johnson, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Donald J. Torrie
Notary Public for Oregon

My Commission expires 10-14-97



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STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 4th day
of February A.D., 19 97 at 3:45 o'clock P. M., and duly recorded in Vol. M97
of Deeds on Page 3478

FEE \$20.00

Bernetha G. Letsch, County Clerk
by Kathleen Rosa