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ODOT
File 6949-001
8B-36-6

mtc 1396-3303

WARRANTY DEED

Vol M01 Page 57335

CITY OF KLAMATH FALLS, a political subdivision of the State of Oregon, Grantor, for the true and actual consideration of \$41,723.00 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 W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being that property described in that deed to the City of Klamath Falls, A Political Subdivision of The State of Oregon, recorded in Book M-97, Page 37345 of Klamath County Record of Deeds.

The parcel of land to which this description applies contains 9.91 acres, more or less, outside of the existing right of way.

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 exceptions numbered 1 through 13 in Amerititle Preliminary Title Report #53942 dated May 2, 2001, incorporated herein by this reference, and will warrant the same from all lawful claims whatsoever, except as stated herein.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

RETURN TO AND TAX STATEMENT TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM OR 97301-3871

Account No.: 875604, 390900700000701-000

Property Address:

AMERITITLE has recorded this
Instrument by request as an accomodation only,
and has not examined it for regularity and sufficiency
or as to its effect upon the title to any real property
that may be described therein.

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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 6th day of November, 20 01.

APPROVED AS TO FORM:

By [Signature]

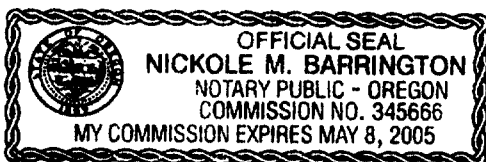
CITY OF KLAMATH FALLS,
a political subdivision of the State of Oregon

By [Signature]
Mayor

By Shirley F. Kappas
Deputy City Recorder

STATE OF OREGON, County of Klamath

Dated Nov. 6th, 20 01. Personally appeared Todd Hellstrom
and Shirley F. Kappas, who, being sworn, stated that they are the Mayor and Deputy City Recorder Auditor of the City of Klamath Falls, a political subdivision of the State of Oregon, Oregon, a municipal corporation, and that this instrument was voluntarily signed in behalf of said municipal corporation by authority of its Ordinance No. motion, passed by the Council of said City on this 5th day of November, 20 01.



Nickole M. Barrington
Notary Public for Oregon

My Commission expires 5-8-2005

Accepted on behalf of the Oregon Department of Transportation

[Signature]

File No.: 6949001**DONATION AGREEMENT**

When a public improvement project requires any government agency or its contractor to acquire or enter upon private property, the owners of that property are entitled to compensation under federal and state law. Federal law is the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, PL 91-646, and state law is in Oregon Revised Statutes, 281.060, as amended.

The above federal and state laws also allow property owners to donate necessary property rights if they wish. To accomplish a donation, you only need to acknowledge that the agency has informed you of the right to compensation and that you wish to donate.

If you elect to donate the value of the property rights over and above the compensation stated in the attached deed, subject to the above information, please date and sign this Donation Agreement in the space below.

Date:Signature:11-6-01[Signature]
