

mtc 53943
ORIGINAL

ODOT
File 6949-002
10B-1-9

02 JUN 26 AM 11:05

WARRANTY DEED

Vol M02 Page 36840

JAMES F. CLOUGH, Grantor, for the true and actual consideration of ~~\$200,000~~ ^{\$234,000} 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 $\frac{1}{2}$ NE $\frac{1}{4}$ 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 James F. Clough, recorded in Book M-93, Page 4956 of Klamath County Record of Deeds.

The parcel of land to which this description applies contains 2.02 acres, 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 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.

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.

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.: 535157, 39 09 07 1600

Property Address: West Hwy 97/South of Hwy 62
Klamath Falls, OR 97601

State of Oregon, County of Klamath
Recorded 06/26/2002 11:05 a. m.
Vol M02, Pg 36840-41
Linda Smith, County Clerk
Fee \$ 26⁰⁰ # of Pgs 2

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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 12 day of June, 2002.

James F. Clough
James F. Clough

STATE OF OREGON, County of Klamath

Dated June 12, 2002. Personally appeared the above named James F. Clough, who acknowledged the foregoing instrument to be his voluntary act. Before me:



Patricia M. Johnson
Notary Public for Oregon
My Commission expires 6-17-2002

Accepted on behalf of the Oregon Department of Transportation

Richard R. Johnson