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WTC-60171

File 7035 001
Map 10B-17-10

Vol M03 Page 89160

State of Oregon, County of Klamath
Recorded 12/05/03 3:31 p m
Vol M03 Pg 89160-66
Linda Smith, County Clerk
Fee \$ 51.00 # of Pgs 7

ORIGINAL

WARRANTY DEED

CAMERON A. CURTISS, Grantor, for the true and actual consideration of \$ 49,890.00, does convey unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, fee title to the property described as **Parcels 1, 2, 3, 4 and 7 on Exhibit "A" dated 10/22/2003** attached hereto and by this reference made a part hereof.

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property described as **Parcels 5 and 6 on Exhibit "A" dated 10/22/2003** attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate five (5) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described **Parcels 5 and 6**, 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 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.

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.: 3707-00000-00900 & 01600, 375837 & 375917

Property Address: 21051 Highway 140 West
Klamath Falls, OR 97601

51.00
AM

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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.

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.

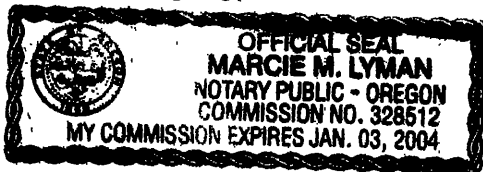
It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 16th day of Nov., 2003.

Cameron A. Curtiss
Cameron A. Curtiss

STATE OF OREGON, County of Klamath

Dated Nov. 16, 2003. Personally appeared the above named Cameron A. Curtiss, who acknowledged the foregoing instrument to be his voluntary act. Before me:



Marcie M. Lyman
Notary Public for Oregon

My Commission expires Jan 3, 2004

Accepted on behalf of the Oregon Department of Transportation

Richard R. [Signature]

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89162 **File 7035001**
 Drawing 10B-17-10
 10/22/2003
PARCEL 1 - Fee

A parcel of land lying in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and Lot 12 of Section 4, Township 37 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 1 and described in that Bargain and Sale Deed to Cameron A. Curtiss, recorded March 25, 1993 in Book M-93, Page 6003 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 Northeasterly side of the center line of the relocated Lake of the Woods Highway, which center line is described as follows:

Beginning at Engineer's center line Station 37+000.000, said station being 579.275 meters South and 225.377 meters East of the Northwest corner of Section 4, Township 37 South, Range 7 East, W.M.; thence South 51° 44' 28" East 1000.333 meters; thence on a spiral curve right (the long chord of which bears South 47° 14' 37" East 136.822 meters) 137.160 meters; thence on a 291.088 meter radius curve right (the long chord of which bears South 20° 49' 37" East 174.244 meters) 176.956 meters; thence on a spiral curve right (the long chord of which bears South 5° 35' 24" West 136.822 meters) 137.160 meters; thence South 10° 05' 15" West 64.169 meters; thence on a spiral curve left (the long chord of which bears South 8° 45' 46" West 121.894 meters) 121.920 meters; thence on an 878.889 meter radius curve left (the long chord of which bears South 3° 00' 34" East 278.698 meters) 279.879 meters; thence on a spiral curve left (the long chord of which bears South 14° 46' 54" East 121.894 meters) 121.920 meters; thence South 16° 06' 23" East 145.672 meters; thence on a spiral curve left (the long chord of which bears South 17° 10' 26" East 121.903 meters) 121.920 meters; thence on a 1090.581 meter radius curve left (the long chord of which bears South 21° 22' 48" East 78.826 meters) 78.844 meters; thence on a spiral curve left (the long chord of which bears South 25° 35' 11" East 121.903 meters) 121.920 meters; thence South 26° 39' 14" East 92.147 meters to Engineer's center line Station 39+600.000.

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

Station	to	Station	Width on Northeasterly Side of Center Line
37+142.000		37+148.000	12.192 in a straight line to 16.000
37+148.000		37+236.000	16.000 in a straight line to 15.000
37+236.000		37+420.000	15.000
37+420.000		37+425.000	15.000 in a straight line to 12.192

Bearings are based upon the Oregon Coordinate System of 1983(98), south zone.

This parcel of land contains 826 square meters, more or less.

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PARCEL 2 - Fee

A parcel of land lying in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and Lots 6, 7, 9, and 12 of Section 4, Township 37 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 1 and described in that Bargain and Sale Deed to Cameron A. Curtiss, recorded March 25, 1993 in Book M-93, Page 6003 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 each side of the center line of the relocated Lake of the Woods Highway, which center line is described in Parcel 1.

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

Station	to	Station	Width on Northeasterly Side of Center Line
37+660.000		37+668.000	12.192 in a straight line to 16.000
37+668.000		37+934.000	16.000 in a straight line to 18.000
37+934.000		38+060.000	18.000 in a straight line to 24.000
38+060.000		38+100.000	24.000 in a straight line to 21.000
38+100.000		38+105.000	21.000 in a straight line to 12.192
Station	to	Station	Width on Southwesterly Side of Center Line
37+142.000		37+172.000	12.192 in a straight line to 15.000
37+172.000		37+572.000	15.000
37+572.000		37+586.000	15.000 in a straight line to 17.000
37+586.000		38+000.333	17.000 in a straight line to 19.000
38+000.333		38+060.000	19.000 in a straight line to 22.000
38+060.000		38+137.493	22.000 in a straight line to 30.500
38+137.493		38+242.000	30.500 in a straight line to 37.500
38+242.000		38+314.449	37.500 in a straight line to 36.000
38+314.449		38+384.000	36.000 in a straight line to 19.000
38+384.000		38+451.609	19.000 in a straight line to 15.240

This parcel of land contains 1.269 hectares, more or less.



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PARCEL 3 - Fee

A parcel of land lying in Lot 7 of Section 4 and Lots 4 and 5 of Section 9, Township 37 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 1 and described in that Bargain and Sale Deed to Cameron A. Curtiss, recorded March 25, 1993 in Book M-93, Page 6003 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 Lake of the Woods Highway, which center line is described in Parcel 1.

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

Station	to	Station	Width on Easterly Side of Center Line
38+374.000		38+424.000	18.288 in a straight line to 43.000
38+424.000		38+578.000	43.000 in a straight line to 74.000
38+578.000		38+637.698	74.000 in a straight line to 60.000
38+637.698		38+713.000	60.000 in a straight line to 67.000
38+713.000		38+809.000	67.000 in a straight line to 73.000
38+809.000		38+917.577	73.000 in a straight line to 59.000
38+917.577		39+039.497	59.000 in a straight line to 77.000
39+039.497		39+100.000	77.000 in a straight line to 64.500
39+100.000		39+154.000	64.500 in a straight line to 70.000
39+154.000		39+231.000	70.000 in a straight line to 54.000

This parcel of land contains 3.191 hectares, more or less.

PARCEL 4 - Fee

A parcel of land lying in Lot 6 of Section 4, Township 37 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 1 and described in that Bargain and Sale Deed to Cameron A. Curtiss, recorded March 25, 1993 in Book M-93, Page 6003 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 18.288 meters in width, 9.144 meters on each side of the "E" center line, which center line is described as follows:

Beginning at Engineer's center line Station "E" 1+001.393, said station being 1210.933 meters South and 1026.323 meters East of the Northwest corner of Section 4, Township 37 South, Range 7 East, W.M.; thence North 41° 23' 42" East 29.357 meters; thence on a 185.000 meter radius curve right (the long chord of which bears North 59° 56' 29" East 117.687 meters) 119.767 meters; thence on an 80.000 meter radius curve left (the long

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chord of which bears North 55° 44' 07" East 61.880 meters) 63.537 meters; thence North 32° 58' 59" East 5.946 meters to Engineer's center line Station "E" 1+220.000.

EXCEPT therefrom Parcel 2.

Bearings are based upon the Oregon Coordinate System of 1983(98), south zone.

This parcel of land contains 2823 square meters, more or less, outside of the existing right of way for Eagle Ridge Road.

PARCEL 5 - Temporary Easement for Work Area
(5 years or duration of project, whichever is sooner)

A parcel of land lying in Lot 12 of Section 4, Township 37 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 1 and described in that Bargain and Sale Deed to Cameron A. Curtiss, recorded March 25, 1993 in Book M-93, Page 6003 of Klamath County Record of Deeds; the said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Lake of the Woods Highway at Engineer's Stations 37+126.000 and 37+160.000; and included in a strip of land 30.000 meters in width, lying on the Northeasterly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This parcel of land contains 549 square meters, more or less.

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Drawing 10B-17-10

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**PARCEL 6 - Temporary Easement for Work Area
(5 years or duration of project, whichever is sooner)**

A parcel of land lying in Lot 12 of Section 4, Township 37 South, Range 7 East, W.M., Klamath County, Oregon and being a portion of that property designated as Parcel 1 and described in that Bargain and Sale Deed to Cameron A. Curtiss, recorded March 25, 1993 in Book M-93, Page 6003 of Klamath County Record of Deeds; the said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Lake of the Woods Highway at Engineer's Stations 37+161.000 and 37+178.000; and included in a strip of land 20.000 meters in width, lying on the Southwesterly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 2.

This parcel of land contains 91 square meters, more or less.

PARCEL 7 - Fee

A parcel of land lying in Lots 4 and 5 of Section 9, Township 37 South, Range 7 East, W.M., Klamath County, Oregon; the said parcel being that portion of said lots lying Easterly of Parcel 3.

This parcel of land contains 1.235 hectares, more or less.