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File 7072 010
Drawing 10B-17-36

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State of Oregon, County of Klamath
Recorded 05/10/2004 10.55 m
Vol M04 Pg 28266-68
Linda Smith, County Clerk
Fee \$ 3.00 # of Pgs 3

ASPEN 58447

DEED

DENNIS R. HYNES, Trustee for J & J Family Trust dated January 11, 2001, Grantor, for the true and actual consideration of \$ 12,500.00 does convey unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, fee title to the property described on Exhibit "A" dated 12/12/2003 attached hereto and by this reference made a part hereof.

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.

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.: R3908-00100-00500-000, R492318

Property Address: No physical address
Klamath Falls, OR 97601

2/04/04
Page 1 of 2 - deed
cew

31.00
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28267

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 28 day of APRIL, 20 04.

Dennis R. Hynes
Dennis R. Hynes, Trustee

STATE OF OREGON, County of Klamath

Dated April 28, 20 04. Personally appeared the above named Dennis R. Hynes, Trustee of the J & J Family Trust dated Jan. 11, 2001, who acknowledged the foregoing instrument to be his voluntary act. Before me:



George Doumar
Notary Public for Oregon

My Commission expires 07-01-05

Accepted on behalf of the Oregon Department of Transportation

Richard R. Gentry

Fee

A parcel of land lying in the SW¼NE¼ of Section 1, Township 39 South, Range 8 East, W.M., Klamath County, Oregon; the said parcel being that portion of said SW¼NE¼ lying between lines at right angles to the "O2" center line at Engineer's Stations "O2" 70+000.000 and "O2" 70+193.456 and included in a strip of land variable in width, lying on the Westerly side of said center line which center line is described as follows:

Beginning at Engineer's center line Station "O2" 70+000.000, said station being 2159.197 meters North and 390.682 meters West of the Northeast corner of Section 13, Township 39 South, Range 8 East, W.M.; thence North 1° 09' 14" East 160.513 meters; thence on a 70.000 meter radius curve right (the long chord of which bears North 12° 55' 12" East 28.549 meters) 28.751 meters; thence North 24° 41' 12" East 28.224 meters to Engineer's center line Station "O2" 70+217.488.

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

Station	to	Station	Width on Westerly Side of Center Line
70+000.000		70+060.000	8.000 in a straight line to 21.000
70+060.000		70+170.000	21.000 in a straight line to 24.000
70+170.000		70+193.456	24.000 in a straight line to 21.870

Bearings are based on County Survey Number 6739, filed February 8, 2002, Klamath County, Oregon.

This parcel of land contains 1954 square meters, more or less, outside of the existing right of way