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File 7072 003  
Drawing 10B-17-36

Vol M04 Page 28284

State of Oregon, County of Klamath  
Recorded 05/10/2004 10:55 a m  
Vol M04 Pg 28284-87  
Linda Smith, County Clerk  
Fee \$ 36<sup>00</sup> # of Pgs 4

*Aspen 58441*  
**WARRANTY DEED**

**DEAN M. BAKER and PATRICIA B. BAKER, husband and wife, Grantor, for the true and actual consideration of \$2,675.00 # 2750.00 does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the property described as Parcels 1 and 2 on Exhibit "A" dated 12/12/2003 attached hereto and by this reference made a part hereof.**

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.

**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.: 39-08-13AB-3500, 39-08-12D-800

Property Address:

1/14/04  
Page 1 of 2 - WD2  
cew

*36.00*  
*7*

28285

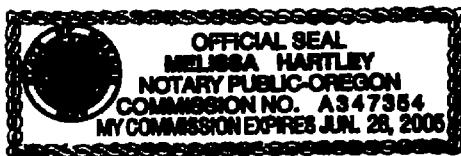
It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 19 day of APRIL, 2004.

Dean M. Baker  
Dean M. Baker  
Patricia B. Baker  
Patricia B. Baker

STATE OF OREGON, County of Klamath

Dated April 19<sup>th</sup>, 2004. Personally appeared the above named Dean M. Baker and Patricia B. Baker, husband and wife, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Melissa Hartley  
Notary Public for Oregon  
My Commission expires June 28, 2005

Accepted on behalf of the Oregon Department of Transportation

Richard R. Oly

**PARCEL 1 - Fee**

A parcel of land lying in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 13, Township 39 South, Range 8 East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Dean M. Baker and Patricia B. Baker, recorded July 5, 1983 in Book M-83, Page 10462 of Klamath County Record of Deeds; the said parcel being that portion of said property lying Southwesterly of that property described in that Warranty Deed to Victor K. Cook and Joanna L. Cook, recorded February 29, 1972 in Book M-72, Page 2139 of Klamath County Record of Deeds and included in a strip of land variable in width, lying on the Northwestern side of the center line of relocated Green Springs Highway which center line is described as follows:

Beginning at Engineer's center line Station 92+060.000, said station being 535.546 meters South and 833.341 meters West of the Northeast corner of Section 13, Township 39 South, Range 8 East, W.M.; thence North 46° 03' 13" East 43.988; thence on a 900.000 meter radius curve left (the long chord of which bears North 37° 13' 37" East 276.202 meters) 277.298 meters; thence North 28° 24' 01" East 418.714 meters to Engineer's center line Station 92+800.000.

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

Station	to	Station	Width on Northwestern Side of Center Line
92+310.000		92+381.286	14.000 in a straight line to 16.000
92+381.286		92+524.000	16.000

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

This parcel of land contains 44 square meters, more or less, outside of the existing right of way.

**PARCEL 2 - Fee**

A parcel of land lying in the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 13 and the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 12, Township 39 South, Range 8 East, W.M., Klamath County, Oregon and being a portion of that property described in those Warranty Deeds to Dean M. Baker and Patricia B. Baker, recorded July 5, 1983 in Book M-83, Page 10462 and February 20, 1976 in Volume M-76, Page 2338, both of Klamath County Record of Deeds; the said parcel being that portion of said property lying Northeasterly of that property described in that Warranty Deed to Victor K. Cook and Joanna L. Cook, recorded February 29, 1972 in Book M-72, Page 2139 of

**28287**

**EXHIBIT A - Page 2 of 2**

**File 7072003**  
Drawing 10B-17-36  
12/12/2003

Klamath County Record of Deeds and included in a strip of land variable in width, lying on the Northwestern side of the center line of relocated Green Springs Highway which center line is described in Parcel 1.

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

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Northwestern Side of Center Line</u>
92+600.000		92+610.000	10.000 in a straight line to 17.000
92+610.000		92+780.000	17.000

This parcel of land contains 1185 square meters, more or less, outside of the existing right of way.