

04 MAY 10 AM 10:56

File 7072 007  
Drawing 10B-17-36

Vol M04 Page 28291

State of Oregon, County of Klamath  
Recorded 05/10/2004 10:56 a m  
Vol M04 Pg 28291-93  
Linda Smith, County Clerk  
Fee \$ 21.00 # of Pgs 3

*Aspen 50000*  
**WARRANTY DEED**

**JAMES R. FAUN and SHIRLEY A. FAUN, husband and wife**, Grantor, for the true and actual consideration of \$850.00 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 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.: R3908-012BD-02200-000, R495299

Property Address: 3724 Orindale Road  
Klamath Falls, OR 97601

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

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28292

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.

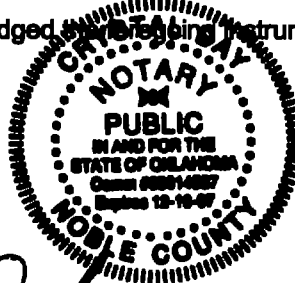
Dated this 14<sup>th</sup> day of April, 20 04.

James R. Faun  
James R. Faun

Shirley A. Faun  
Shirley A. Faun

Oklahoma  
STATE OF ~~OREGON~~, County of Payne

Dated April 14<sup>th</sup>, 20 04. Personally appeared the above named James R. Faun and Shirley A. Faun, husband and wife, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Crystal Day  
Notary Public for ~~Oregon~~ Oklahoma

My Commission expires 12-18-07

Accepted on behalf of the ~~Oregon~~ Department of Transportation

Richard K. [Signature]

**28293**

**EXHIBIT A - Page 1 of 1**

**File 7072007**  
Drawing 10B-17-36  
12/12/2003

**Fee**

A parcel of land lying in the NW¼SE¼ of Section 12, Township 39 South, Range 8 East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to James R. Faun and Shirley A. Faun, recorded March 1, 1993 in Volume M-93, Page 4118 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 Westerly side of the "O" center line which center line is described as follows:

Beginning at Engineer's center line Station "O" 400+000.000, said station being 538.722 meters North and 420.472 meters West of the Northeast corner of Section 13, Township 39 South, Range 8 East, W.M.; thence South 1° 25' 56" West 120.000 meters to Engineer's center line Station "O" 400+120.000.

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

Station	to	Station	Width on Westerly Side of Center Line
400+000.000		400+056.000	6.000 in a straight line to 10.000
400+056.000		400+120.000	10.000

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

This parcel of land contains 12 square meters, more or less, outside of the existing right of way.