

04 NOV 8 PM 3:47

Vol M04 Page 76938

File 7157 001  
Drawing 1R-04-0984

MTC 66010  
WARRANTY DEED

KENNETH E. RIGHTMIRE and SYLVIA R. RIGHTMIRE, husband and wife, Grantor, for the true and actual consideration of \$90,000.00 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 6/15/2004 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.: R-3809-032BC-01400-000

Property Address: 646 California  
Klamath Falls, OR 97601

State of Oregon, County of Klamath  
Recorded 11/08/04 3:47 P m  
Vol M04 Pg 76938-40  
Linda Smith, County Clerk  
Fee \$ 31<sup>00</sup> # of Pgs 3

8/23/04  
Page 1 of 2 - WD  
CAW

31.00 *AM*

76939

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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 18 day of October, 2004.

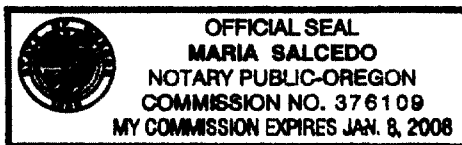
Kenneth E. Rightmire  
Kenneth E. Rightmire

Sylvia R. Rightmire  
Sylvia R. Rightmire

STATE OF OREGON, County of Klamath

Dated October 18, 2004. Personally appeared the above named Kenneth E. Rightmire and Sylvia

R. Rightmire, husband and wife, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Maria Salcedo  
Notary Public for Oregon

My Commission expires Jan 8, 2008

Accepted on behalf of the Oregon Department of Transportation

Jeff Black  
Reg 4 R/W Supervisor

**Fee**

A parcel of land lying in the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 32, Township 38 South, Range 9 East, W. M., said parcel being Lot 3, Block 104 of BUENA VISTA ADDITION to the City of Klamath Falls, Klamath County, Oregon

EXCEPT therefrom that property described in that Warranty Deed to the State of Oregon, by and through its State Highway Commission, recorded January 2, 1957, in Book of Deed, Volume 289 at page 1, Klamath County Records.

This parcel of land contains 5,557 square feet, more or less.