

05 MAY 23 PM 2:25

File 7130 004  
Drawing 10B-19-22

Vol M05 Page 37518

State of Oregon, County of Klamath

Recorded 05/23/05 2:25 p m

Vol M05 Pg 37518-20

Linda Smith, County Clerk

Fee \$ 31.00 # of Pgs 3

aspen wa 58

DEED

**CLIFFORD M. McKOEN and BERTHA M. McKOEN, Trustees of the McKoen Family Trust, u.a.d. March 30, 1990, Grantor, for the true and actual consideration of \$55,625 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 7/12/04 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

Map and Tax Lot #: 39-10-19B-500

Property Address: No physical address  
Klamath Falls, OR 97603

10/25/04  
Page 1 of 2 - deed  
cew

DTA

37519

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 12 day of MAY, 20 05.

Clifford W. McKoen, Trustee  
Clifford W. McKoen, Trustee

Bertha M. McKoen, Trustee  
Bertha M. McKoen, Trustee

STATE OF OREGON, County of KLAMATH

Dated 5/12, 20 05. Personally appeared the above named Clifford W. McKoen and Bertha M. McKoen, Trustees of the McKoen Family Trust, u.a.d. March 30, 1990, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Mary Brophy  
Notary Public for Oregon  
My Commission expires 8/4/05

Accepted on behalf of the Oregon Department of Transportation

Howard Bugation

**37520**

**EXHIBIT A** - Page 1 of 1

**File 7130004**  
Drawing 10B-19-22  
7/12/04

**FEE**

A parcel of land lying in the NW¼ of Section 19, Township 39 South, Range 10 East, W. M., Klamath County, Oregon and being a portion of that property described in that Bargain and Sale Deed to Clifford and Bertha M. Mckoen, Trustees, recorded in Book M90, Page 6244 of the Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 18.000 meters in width, lying on the Easterly side of the centerline of the relocated Klamath Falls - Malin Highway., which centerline is described as follows:

Beginning at Engineer's center line Station 0+000.000, said station being located at the quarter corner common to Section 13, Township 39 South, Range 9 East, W.M. and Section 18, Township 39 South, Range 10 East, W.M.; thence South 0°01'10" West along the West line of said Section 18 to Engineer's center line Station 0+810.028, said station being located at the Southwest corner of said Section 18; thence South 0°36'54" West to Engineer's Station 1+618.086; thence South 0°18'18" West to Engineer's Station 2+451.692, said station being located at the Southwest corner of Section 19, Township 39 South, Range 10 East, W.M.

Bearings are based on County Survey No. 6981, filed May 19, 2004, Klamath County, Oregon.

This parcel of land contains 512 square meters, more or less, outside the existing right of way.