

05 JUN 24 PM 3:05

File 7130 006
Drawing 10B-19-22

Vol M05 Page 47910

State of Oregon, County of Klamath
Recorded 06/24/05 3:06 p m
Vol M05 Pg 47910-12
Linda Smith, County Clerk
Fee \$ 3.00 # of Pgs 3

Aspen (wa)w
WARRANTY DEED

KENNETH E. SMITH and MAUDIE L. SMITH, Grantor, for the true and actual consideration of
~~\$14,900.00~~ *m & K L* 15,000.00 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 **10/25/04** 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

Map and Tax Lot #: 39-10-24A-1500 and 1600

Property Address: 6736 Hwy. 39
Klamath Falls, OR 97603

*3100**

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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.

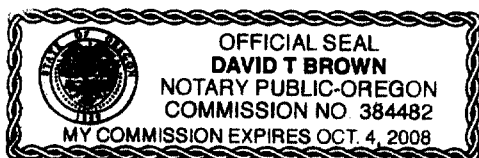
Dated this 8th day of June, 2005.

Kenneth E. Smith
Kenneth E. Smith

Maudie L. Smith
Maudie L. Smith

STATE OF OREGON, County of Klamath

Dated ~~August~~ June 8, 2005. Personally appeared the above named Kenneth E. Smith and Maudie L. Smith, who acknowledged the foregoing instrument to be their voluntary act. Before me:



David T. Brown
Notary Public for Oregon

My Commission expires 10-4-08

Accepted on behalf of the Oregon Department of Transportation

Mary E. Laugon

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EXHIBIT A - Page 1 of 1

File 7130006

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10/25/04

FEE

A parcel of land lying in the NE¼ of Section 24, Township 39 South, Range 9 East, W. M., Klamath County, Oregon and being a portion of that property described in those Warranty Deeds to Kenneth E. and Maudie L. Smith, recorded January 26, 2004 in Book M04, Page 04759 and recorded January 17, 1986 in Book M86, Page 879 of the Klamath County Record of Deeds; the said parcel being that portion of said property lying Northerly of a line at right angles to the centerline of the of the relocated Klamath Falls - Malin Highway at Engineer's Station 1+215.000 and included in a strip of land variable in width, lying on the Westerly 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.

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

		Width on Westerly Side of Center Line
0+950.000	0+960.000	20.000 in a straight line to 27.000
0+960.000	0+970.000	27.000 in a straight line to 20.000
0+970.000	1+215.000	20.000

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

This parcel of land contains 2093 square meters, more or less, outside the existing right of way.