

Vol M05 Page 52554

State of Oregon, County of Klamath
Recorded 07/11/05 11:31 a.m.
Vol M05 Pg 52554-56
Linda Smith, County Clerk
Fee \$ 31⁰⁰ # of Pgs 3

ATC 6055
WARRANTY DEED

LARRY R. MITTNACHT, Grantor, for the true and actual consideration of \$ 1,700 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.

TOGETHER WITH all abutter's rights of access, if any, between the above-described parcel and Grantor's remaining real property.

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 #: 39-10-13-1000

Property Address: 7333 Southside Expressway
Klamath Falls, OR 97603

3100

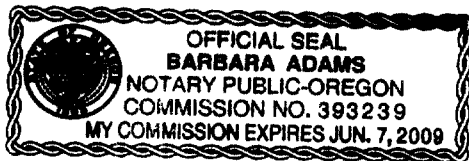
It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 24 day of JUNE, 2005.

Larry R. Mitnacht
Larry R. Mitnacht

STATE OF OREGON, County of KLAMATH

Dated 6-24-, 2005. Personally appeared the above named Larry R. Mitnacht, who acknowledged the foregoing instrument to be his voluntary act. Before me,



Barbara Adams
Notary Public for Oregon

My Commission expires 6-7-09

Accepted on behalf of the Oregon Department of Transportation

Howard Beuphion

FEE

A parcel of land lying in the SE¼ of Section 13, Township 39 South, Range 9 East, W. M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Larry R. Mitnacht, recorded March 8, 1994 in Book M94, Page 7149 of the 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 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:

Station	to	Station	Width on Westerly Side of Center Line
0+781.817		0+809.387	20.000 in a straight line to 50.716

EXCEPT therefrom that property described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded January 17, 1997 in Book M-97, Page 1595, of the Klamath County Record of Deeds.

ALSO EXCEPT therefrom that property described in that Warranty Deed to the to Klamath County, a Political Subdivision of the State of Oregon, recorded August 6, 1975 in Book M75, Page 9139, of the Klamath County Record of Deeds.

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

This parcel of land contains 99 square meters, more or less.