

MTCT77801  
File 7248 001  
Map 10B-21-24

2007-017682  
Klamath County, Oregon



10/11/2007 03:33:48 PM

Fee: \$56.00

### WARRANTY DEED

EILEEN L. GRIMES, Trustee of the Eileen L. Grimes Trust; KAREN CHRISTINE BREITHAAPT; GARY L. GRIMES, Grantor, for the true and actual consideration of ~~\$1250.00~~ <sup>\$432.00 - 8/11</sup> does convey unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, fee title to the property described as **Parcel 1 on Exhibit "A" dated 02/13/2007** attached hereto and by this reference made a part hereof.

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property described as **Parcel 2 on Exhibit "A" dated 02/13/2007** attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate three (3) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcel 2, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

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.

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 #: 33-07V-5100

Property Address: n/a

50MMT

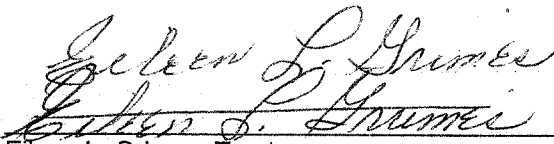
Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does 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.

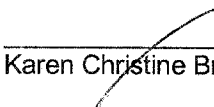
In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

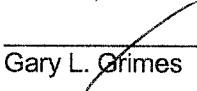
**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING 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, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.**

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<sup>th</sup> day of July, 2007.

  
Eileen L. Grimes, Trustee


  
Karen Christine Breithaupt

  
Gary L. Grimes

STATE OF OREGON, County of Wameath

Dated August 2<sup>nd</sup>, 2007. Personally appeared the above named Eileen L. Grimes, Trustee, and acknowledged the foregoing instrument to be her voluntary act. Before me:



  
Notary Public for Oregon  
My Commission expires 1-21-2011

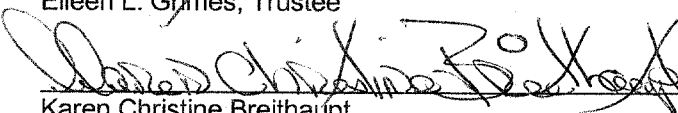
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Dated this 18<sup>th</sup> day of July, 2007.

Eileen L. Grimes, Trustee  
  
Karen Christine Breithaupt  
  
\_\_\_\_\_  
Gary L. Grimes

STATE OF OREGON, County of \_\_\_\_\_

Dated \_\_\_\_\_, 20\_\_\_\_. Personally appeared the above named Eileen L. Grimes, Trustee, and acknowledged the foregoing instrument to be her voluntary act. Before me:

\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires \_\_\_\_\_

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.

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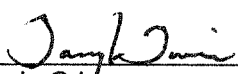
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Dated this 18<sup>th</sup> day of July, 2007.

~~Eileen L. Grimes, Trustee~~

~~Karen Christine Breithaupt~~

~~  
Gary L. Grimes~~

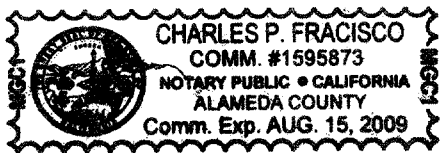
STATE OF OREGON, County of ~~\_\_\_\_\_~~

Dated \_\_\_\_\_, 20\_\_\_\_. Personally appeared the above named Eileen L. Grimes, Trustee, and acknowledged the foregoing instrument to be her voluntary act. Before me:

~~Notary Public for Oregon  
My Commission expires \_\_\_\_\_~~

*California*  
STATE OF OREGON, County of Alameda  
*Calif.*

Dated September 17, 2007. Personally appeared the above named Karen Christine Breithaupt, who  
acknowledged the foregoing instrument to be her voluntary act. Before me:



*Charles P. Francisco*  
Notary Public for ~~Oregon~~ *Calif. California*  
My Commission expires August 15, 2009

STATE OF OREGON, County of \_\_\_\_\_

Dated \_\_\_\_\_, 20\_\_\_\_. Personally appeared the above named Gary L. Grimes, who  
acknowledged the foregoing instrument to be his voluntary act. Before me:

\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires \_\_\_\_\_

Accepted on behalf of the Oregon Department of Transportation

\_\_\_\_\_  
*[Signature]*

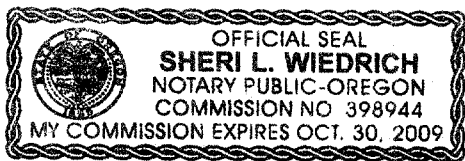
STATE OF OREGON, County of \_\_\_\_\_

Dated \_\_\_\_\_, 20\_\_\_\_. Personally appeared the above named Karen Christine Breithaupt, who  
acknowledged the foregoing instrument to be her voluntary act. Before me:

\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires \_\_\_\_\_

STATE OF OREGON, County of Jackson

Dated September 5, 2007. Personally appeared the above named Gary L. Grimes, who  
acknowledged the foregoing instrument to be his voluntary act. Before me:



Sheri Wiedrich  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission expires 10/30/2009

Accepted on behalf of the Oregon Department of Transportation

[Signature]

PARCEL 1 - Fee

A parcel of land lying in the NW¼SW¼ of Section 26, Township 33 South, Range 7 ½ East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Gary L. Grimes, ET AL, recorded February 18, 2000 in Book M93, Page 6678, Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying between lines at right angles to the center line at Engineer's Stations 1879+50.00 and 1882+20.00 and lying Westerly of the center line of the relocated Crater Lake Highway, which center line is described as follows:

Beginning at Engineer's center line Station 1868+27.27, said station being 16.64 feet South and 47.15 feet West of the most Southerly corner of Parcel 3, MINOR LAND PARTITION 39-90, Klamath County; thence North 19° 26' 26" West 1,606.23 feet; thence on a 1,432.40 feet radius curve right (the long chord bears North 08° 41' 38" West 534.20 feet) 537.34 feet to Engineer's center line Station 1889+70.84 Back equals 1889+75.60 Ahead; thence North 02° 03' 11" East 731.96 feet to Engineer's Station 1897+07.56 on said center line.

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

Station	To	Station	Width on Westerly Side of Center Line
1879+50.00		1880+00.00	50.00 in a straight line to 60.00
1880+00.00		1882+20.00	60.00

Bearings are based upon the Westerly line of Parcel 3, MINOR LAND PARTITION 39-90, Klamath County.

This parcel of land contains 2,450 square feet, more or less.

PARCEL 2 – Temporary Easement for Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the NW¼SW¼ and the SW¼NW¼ of Section 26, Township 33 South, Range 7 ½ East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Gary L. Grimes, ET AL, recorded February 18, 2000 in Book M93, Page 6678, Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying between lines at right angles to the center line at Engineer's Stations 1880+00.00 and 1894+60.00 and lying Westerly of the center line of the relocated Crater Lake Highway which center line is described in Parcel 1.

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

Station	To	Station	Width on Westerly Side of Center Line
1880+00.00		1883+50.00	180.00
1883+50.00		1894+60.00	100.00

EXCEPT therefrom Parcel 1.

Bearings are based upon the Westerly line of Parcel 3, MINOR LAND PARTITION 39-90, Klamath County.

This parcel of land contains 2.30 acres, more or less.