File 6012 103 Drawing 11B-1-22 **2008-005640**Klamath County, Oregon



04/17/2008 03:27:05 PM

Fee: \$36.00

1St 1048619

BARGAIN AND SALE DEED

RUNNING Y RESORT, INC., an Oregon corporation, Grantor for the true and actual consideration of \$14,300.00 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 10/16/2007 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, EXCEPT, however,

Reserving access rights for the service of Grantor's remaining property, to and from said remaining property to the abutting highway at the following place(s), in the following width(s):

Hwy. Engr's Sta. 1626+50L

Side of Hwy.

Width 25 feet

The access rights reserved herein are subject to, and may only be exercised in accordance with, the statutes and administrative rules applicable to access control and road approaches. Such access is contingent upon issuance of an approach road permit, and no access rights may be exercised or construction of an approach road begun unless, and until, a standard Approach Road Permit application is submitted and a permit issued by the Oregon Department of Transportation. The approach road may only be constructed or maintained upon issuance of such permit and in accordance with such permit. If the State constructs the approach road during a highway project, Grantor is required to sign a standard Approach Road Permit to ensure proper operation and maintenance of the approach road.

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 #: 38-08-06-00100 and

38-08-07- 00101

Property Address: Hwy 140

Klamath Falls, OR 97601

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400

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 //th day of March ,2008.

JELD-WEN, INC., an Oregon corporation

orporate

Witness

eretary.

Development Manager

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STATE OF OREGON, County of <u>Klimath</u>	
Dated <u>March II</u> ,20 <u>08</u> . Personally ap	peared
and, who, being sworn,	stated that they are the President and Secretary of JELD-
WEN, INC., an Oregon corporation, and that this instrument was	voluntarily signed on behalf of the corporation by authority
of its Board of Directors. Before me:	
	Notary Public for Oregon My Commission expires 3-17-2010



Accepted on behalf of the Oregon Department of Transportation

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Fee

A parcel of land lying in Government Lots 3,5, and 6 and within the NW1/4SW1/4 and the SW1/4SE1/4 of Section 6, and within Government Lots 12 and 13 of Section 7, T 38 S, R 8 E, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Running Y Resort, Inc., recorded November 1, 2006 in Volume 2006, Page 021947 of Klamath County Record of Deeds, said parcel being a strip of land variable in width lying on the Easterly side of the center line of the relocated Lake of The Woods Highway, which center line is described as follows:

Beginning at Engineer's center line Station 1622+71.65, said station being 154 feet South and 1,104 feet East of the West one-quarter corner of Section 6, Township 38 South, Range 8 East, W.M.; thence South 38° 06' 50" East 1,967.11 feet; thence on a spiral curve left (the long chord of which bears South 38° 24' 49" East 300.00 feet) 300.00 feet; thence on a 9,552.66 foot radius curve left (the long chord bears South 40° 47' 38" East 593.58 feet) 593.67 feet; thence on a spiral curve left (the long chord of which bears South 43° 10' 27" East 300.00 feet) 300.00 feet to Engineer's Station 1654+32.43 Back equals 1654+36.75 Ahead; thence South 43° 28' 26" East 1,563.25 feet to Engineer's Station 1670+00.00, on said center line.

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

Station	to	Station	Width on Easterly Side of Center Line
Station 1624+80 1625+00 1626+40 1630+00 1648+00 1649+00 1663+50	to	Station 1625+00 1626+40 1630+00 1648+00 1649+00 1663+50 1664+50	60.00 in a straight line to 70.00 70.00 70.00 in a straight line to 100.00 100.00 in a straight line to 100.00 100.00 in a straight line to 80.00 80.00 in a straight line to 120.00
1664+50 1668+50		1668+50 1669+00	120.00 120.00 in a straight line to 80.00

Bearings are based upon the Oregon Coordinate System of 1983 (1991 adjustment), south zone, as derived from a physical tie to GPS control monuments as depicted on Geodetic Survey Report, recorded as County Survey No. 6745, Klamath County survey records.

This parcel of land contains 4.00 acres, more or less.