

2010-000973

Klamath County, Oregon

File 6007280
Drawing 9B-7-3



00078557201000009730050056

01/27/2010 10:25:46 AM

Fee: \$57.00

DEDICATION BARGAIN AND SALE DEED

KLAMATH FALLS CENTER, LLC, an Oregon limited liability company, Grantor, in consideration of the acceptance by the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, and the use or holding of said property for present or future public road use by Grantee, Grantor hereby grants, bargains, sells and conveys unto Grantee, its successors and assigns, all the property described on **Exhibit "A"** dated **10/04/2002** attached hereto and by this reference made a part hereof.

TOGETHER WITH all abutter's rights of access, if any, between the Klamath Falls – Lakeview Highway 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.	Side of Hwy.	Width
156+70	North	50 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 #:

Property Address:

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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

The statement above is required by law to be included in this instrument. PLEASE NOTE: the property described in this instrument is not a "lot" or "parcel" as defined in ORS 92.010 or 215.010. Nevertheless, the property is a legally created unit of land as described in ORS 92.010 (8) (d) or (e).

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 5th day of January, 2010

**KLAMATH FALLS CENTER, LLC, an Oregon
limited liability company**


C. A. Galpin, member


Samuel L. Gressett, member

**MARTINEZ TRUST OF 1988, UTD December 8,
1988**

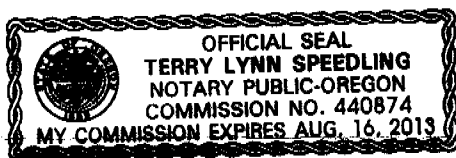

Charles H. Martinez, Trustee


Julie C. Martinez, Trustee

STATE OF OREGON, County of Marion Jackson

Dated January 5, 20 10. Personally appeared and signed before me the above named
CA Galpin and Sam Gressett, members of Klamath Falls
Center, LLC, an Oregon limited liability company, who acknowledged the foregoing instrument to be their voluntary act.

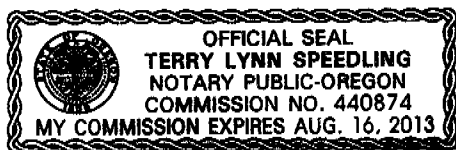
Before me:



Terry Speedling
Notary Public for Oregon
My Commission expires 8-16-13

STATE OF OREGON, County of Jackson

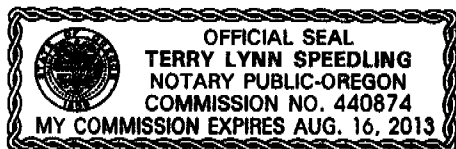
Dated January 5, 20 10. Personally appeared and signed before me the above named Charles
H. Martinez, Trustee, who acknowledged the foregoing instrument to be his voluntary act and deed. Before me:



Terry Speedling
Notary Public for Oregon
My Commission expires 8-16-13

STATE OF OREGON, County of Jackson

Dated January 5, 20 10. Personally appeared and signed before me the above named Julie C.
Martinez, Trustee, who acknowledged the foregoing instrument to be her voluntary act and deed. Before me:



Terry Speedling
Notary Public for Oregon
My Commission expires 8-16-13

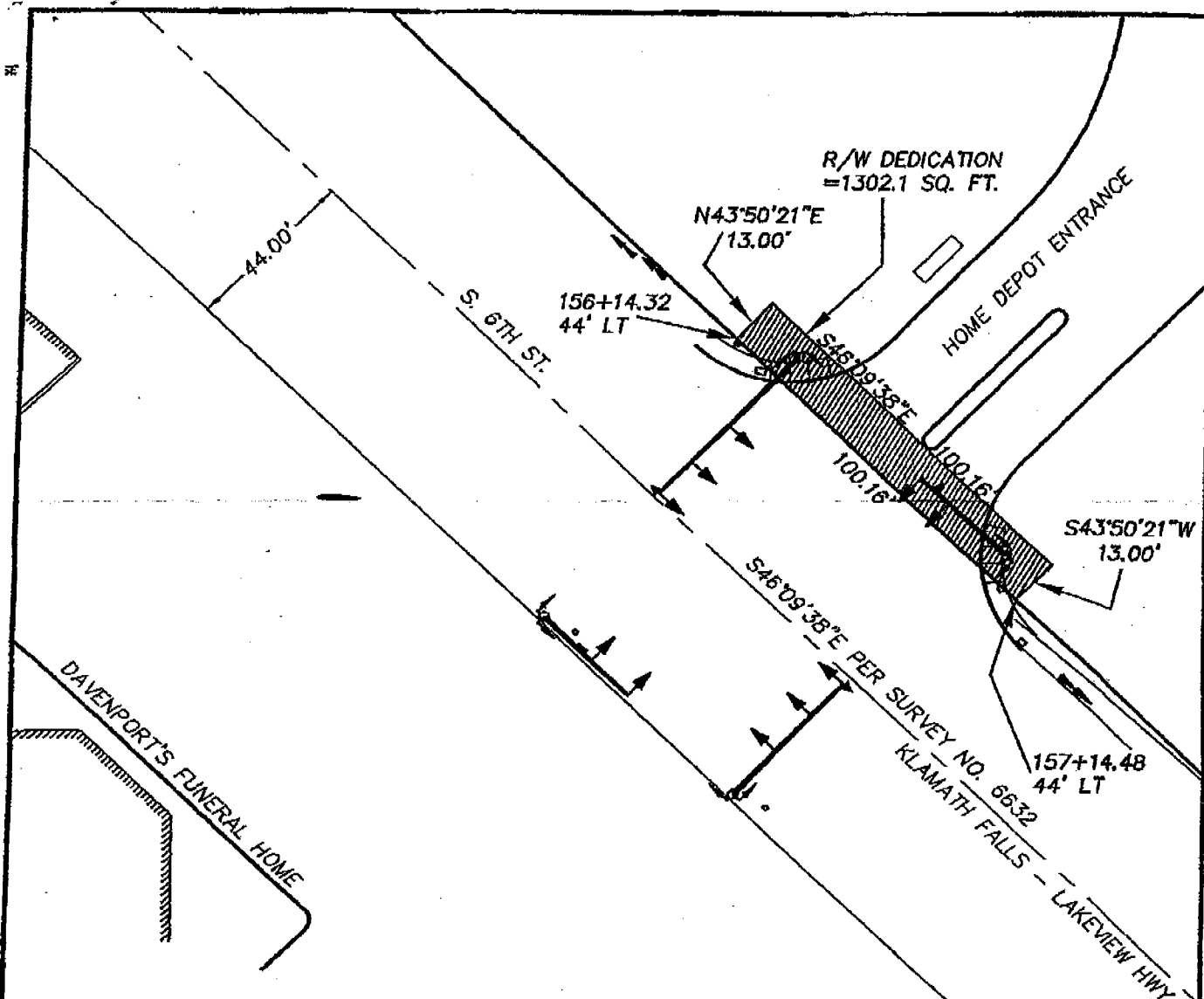
Accepted on behalf of the Oregon Department of Transportation

[Signature]

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY OF THE KLAMATH FALLS -- LAKEVIEW HIGHWAY (SOUTH 6TH ST. / HIGHWAY 39), SAID POINT BEING 44.00 FEET LEFT OF ODOT CENTERLINE STATION 156+14.32; THENCE LEAVING SAID RIGHT-OF-WAY, NORTH 43°50'21" EAST, 13.00 FEET; THENCE SOUTH 46°09'38" EAST, 100.16 FEET; THENCE SOUTH 43°50'21" WEST, 13.00 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY, 44.00 FEET LEFT OF ODOT CENTERLINE STATION 157+14.48; THENCE ALONG SAID RIGHT-OF-WAY, NORTH 46°09'38" WEST, 100.16 FEET TO THE POINT OF BEGINNING.

SAID DEDICATION CONTAINS 1302.1 SQUARE FEET, MORE OR LESS.

SEE ATTACHED EXHIBIT MAP.



LOCATED IN THE SOUTHWEST 1/4,
SECTION 1, T. 39 S., R. 9 E., W.M.
KLAMATH COUNTY, OREGON



ODOT, KILLS / SYSTEMS / USER: IPF

DESIGNED BY: <u>LJB</u>		CHECKED BY: <u>LJB</u>		
DRAWN BY: <u>IPF</u>		APPROVED BY: _____		
LAST EDIT: <u>07/02/02</u>		PLOT DATE: <u>07/02/02</u>		
DATE	BY	REV	REVISION	OK'D/APPR



ODOT KLAMATH FALLS CENTER, LLC RIGHT-OF-WAY DEDICATION FOR TRAFFIC SIGNALS			
KLAMATH FALLS	PROJECT NO. 829709	DRAWING FILE NAME: 829711-SURV-STAKE	1 SHEET 1
SCALE: 1"=30'		OREGON	