

After Recording Return to, and  
Send Tax Statements to:  
Klamath County  
305 Main Street  
Klamath Falls, OR 97601

2012-010517

Klamath County, Oregon



00124666201200105170090095

09/24/2012 10:18:45 AM

Fee: NO FEE

Return to Commissioner's Journal

## WARRANTY DEED

**MONTE JACOB BROLIER**, hereinafter called Grantor, for the true and actual consideration of \$2,620.00 Dollars, conveys to **KLAMATH COUNTY**, a political subdivision of the State of Oregon, hereinafter called Grantee, fee simple interest in all that real property situated in Klamath County, State of Oregon, described as follows:

A tract of land being a portion of Lot 8, Block 2 of Third Addition to Altamont Acres, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, said tract also lying in the Southeast one-quarter of the Northwest one-quarter (SE ¼, NW ¼) of Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of that parcel of land conveyed to Monte Jacob Brolier by those certain deeds recorded in Volume M00, Page 24607, Volume M00, Page 24608 and Volume M00, Page 24609, KLAMATH COUNTY OREGON DEED RECORDS, said tract being more particularly described as follows:

Beginning at the Southeast corner of Lot 8, Block 2 of Third Addition to Altamont Acres, said point also being at the intersection of the Westerly right of way of Altamont Drive and the Northerly right of way of Laverne Avenue; thence Northerly, along the East line of said Lot 8 and the Westerly right of way of Altamont Drive, 20.00 feet; thence leaving said East line and Westerly right of way, Southwesterly to a point on the South line of said Lot 8 and the Northerly right of way of Laverne Avenue, said point being 20.00 feet Westerly from the Point of Beginning; thence Easterly, along said North line of Lot 8, 20.00 feet to the Point of Beginning, all in Klamath County, Oregon.

The tract of land to which this description applies contains 200 square feet, more or less.

To have and to hold the said premises unto said GRANTEE and covenants the GRANTOR is the owner of the above described property free and clear of all encumbrances except easements, conditions and restrictions of record and will warrant and defend the same against all persons who may lawfully claim the same, except as may be shown above.

Page 2 of 2   **WARRANTY DEED**  
1479-08A   Altamont Drive / Laverne Avenue - mjb - 8/9/2012  
36058659   R-3909-010BD-01100



## Lane County Public Works Department

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August 10, 2012

Mr. Monte J. Brollier  
14545 Highway 39  
Klamath Falls, Oregon 97603

### **OFFER TO PURCHASE REAL PROPERTY**

The Lane County Department of Public Works, acting on behalf of Klamath County, has been authorized to acquire additional right-of-way for the Altamont Drive Improvement Project. The public records show that you have an ownership interest in the real property needed for this project.

This letter is an offer from Lane County to purchase the fee interest in the real property identified by the attached legal description and drawing, labeled Exhibits A and B, respectively, including the special provisions contained in Exhibit C. The affected property is a portion of Tax Lot 1000 on Klamath County Assessor's Map No. 39-09-10BD.

Upon delivery of a Warranty Deed, you will be paid the sum of \$2,620.00 as total compensation. Conveyance shall be made free of all liens and encumbrances that could adversely affect the proposed use of the property. Klamath County will pay all of the normal and customary closing costs, if any.

Lane County has based this offer upon an analysis and valuation of the property made by a qualified professional appraiser. As a result, we believe the offer represents full and just compensation. A copy of the Determination of Value upon which the offer is based is included with this offer.

Oregon law provides a minimum 40 days from the date of this initial written offer for you, the owner, to consider accepting or rejecting it. Your decision to accept or reject may be made at any time prior to expiration of the 40-day period if you choose. If the offer is neither accepted nor rejected at the end of the 40-day period, the offer will be considered rejected. The 40-day provision does not apply when an emergency has been declared by the road authority.

#### **Right of Way Management Section**

3040 North Delta Highway • Eugene OR 97408 • 1696 • (541) 682-6981 • FAX: (541) 682-8557 • [www.lanecounty.org/pw](http://www.lanecounty.org/pw)

**Page Two**

**Offer to Purchase dated August 10, 2012**

All right-of-way acquisitions by Lane County are conducted pursuant to Public Law 91-646, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by Public Law 100-17, the Surface Transportation and Uniform Relocation Assistance Act of 1987 and applicable state laws.

We hope this offer meets with your approval. The offer may be accepted by signing the Acceptance of Offer below and returning it to Lane County Public Works, 3040 Delta Highway North, Eugene, Oregon 97408. If we can provide any further information about the offer or the project, kindly call my direct number at 541-682-6985. I can also be reached via E-mail at karl.oakes@co.lane.or.us.

Respectfully,




Property Officer  
Lane County Public Works

**ACCEPTANCE OF OFFER**

I hereby accept Lane County's offer, made on behalf of Klamath County, of \$2,620.00 for the property described above. This is the total amount of compensation to be paid for all property rights being conveyed, regardless of the number of persons claiming an interest in the property. This agreement is binding upon the heirs, Personal Representative, successors, lessees, tenants and assigns of the Seller.

Dated this 30<sup>th</sup> day of August, 2012.

  
Monte Jacob Brollier

541-60-2318  
Social Security Number

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## **Exhibit A**

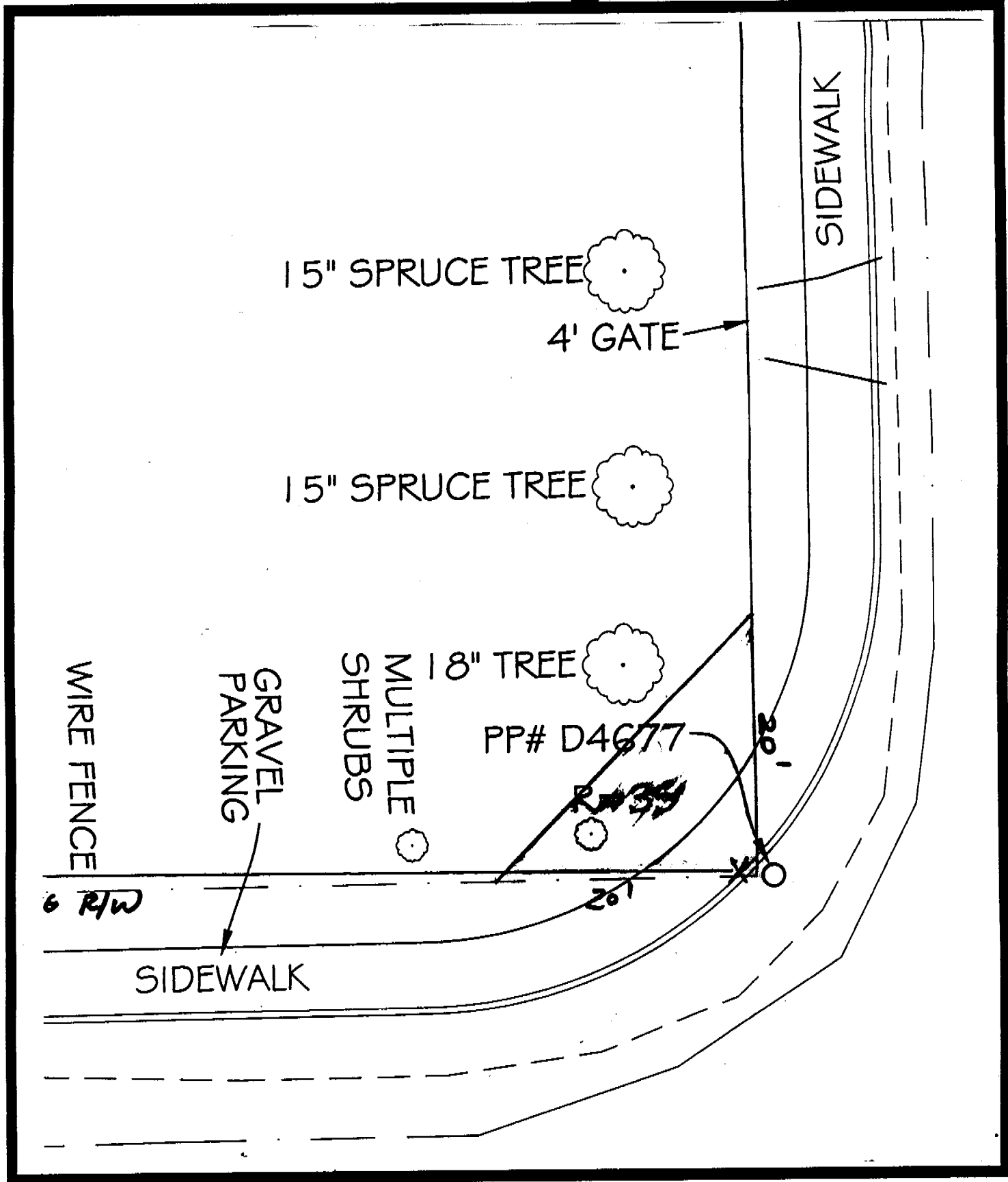
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# ACQUISITION MAP

## EXHIBIT B



## **EXHIBIT C**


**NAME:** Monte Jacob Brollier  
**PROJECT:** Altamont Drive  
**PARCEL:** 1479-08  
**STATION:** 52+00 – 53+00

### **GRANTOR'S OBLIGATIONS REGARDING CRABAPPLE TREE**

It is understood and agreed between Grantor and Klamath County that the purchase price includes \$600.00 as payment in full for the Crabapple tree on Grantor's remainder property and \$785.00 to cut said tree and grind the stump. This tree lies approximately 8' behind the proposed right-of-way line.

Grantor further agrees to remove this tree and have the stump ground by April 1, 2013. If, however, it is not completely removed by that date, the tree shall be deemed to be the property of Klamath County, and it may be removed by the County, its agents or contractors without additional notification. Permission is hereby granted to Klamath County to enter the property for that purpose.

### **GRANTOR**

  
Monte Jacob Brollier

**OWNER:** Monte Jacob Brolier  
**ADDRESS:** 14545 Highway 39  
Klamath Falls, Oregon 97603

**PROJECT:** Altamont/Hilyard  
**PARCEL:** 1479-08  
**STATION:** 52+00 – 53+00  
**PHONE:** (541) 884-7514

### **SETTLEMENT AND OBLIGATIONS SUMMARY**

#### **Basis of Settlement**

200 sq. ft. of commercial land @ \$1.16/sq. ft.	\$232
200 sq. ft. of lawn, lilac bush, deciduous tree	\$860
Cost-to-Cure: Tree removal, stump grinding, new lawn, remove fence	\$1,045
Total Compensation (As per the Counteroffer)	\$2,620
	(Rounded)

#### **Acquiring Agency Obligations**

If the crab tree is not removed by April 1, 2013, it shall be deemed to be the property of Klamath County, and it may be removed by the County, its agents or contractors without additional notification. Permission has been granted to Klamath County to enter the property for that purpose.

#### **Seller Obligations**

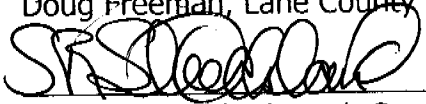
Grantor agrees to remove the chain link fence in the acquisition area and cut the crab tree located about 8' behind the proposed right-of-way line and have the stump ground by April 1, 2013.

**Negotiator:**   
Karl L. Oakes, Lane County

**Dated:** 9/10/2012

**Reviewed:**   
Doug Freeman, Lane County

**Dated:** 9/10/2012

**Approved:**   
Stan Strickland, Klamath County

**Dated:** SEP 10 2012

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