

*Return Planning*

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

2012-011662

Klamath County, Oregon

F



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10/19/2012 12:26:37 PM

Fee: NO FEE

## WARRANTY DEED

**Scott Cannon** and **Jean Cannon**, also known as **Marvin E. Cannon** and **Donna J. Cannon**, hereinafter called Grantors, for the true and actual consideration of One Thousand Three Hundred Twenty 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 10, Block 7 of Plat of 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 Southwest one-quarter of the Northeast one-quarter (SW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ ) 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 Scott and Jean Cannon, by that Quitclaim Deed recorded July 24, 2012, Recorded on Instrument Number 2012-008109, KLAMATH COUNTY OREGON DEED RECORDS, said tract being more particularly described as follows:

Beginning at the Southwest corner of Lot 10, Block 7 of Plat of Altamont Acres, said point also being at the intersection of the Easterly right of way of Altamont Drive and the Northerly right of way of Laverne Avenue; thence Northerly, along the West line of said Lot 10 and the Easterly right of way of Altamont Drive, 20.00 feet; thence leaving said West line and Easterly right of way, Southeasterly to a point on the South line of said Lot 10 and the Northerly right of way of Laverne Avenue, said point being 20.00 feet Easterly from the Point of Beginning; thence Westerly, along said South line and Northerly right of way, 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.

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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. 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, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

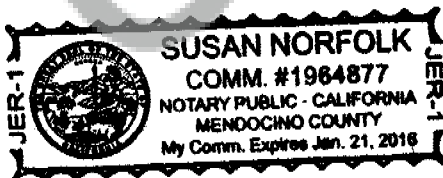
Dated this <sup>25<sup>th</sup></sup> ~~24<sup>th</sup>~~ day of September, 2012.

Marvin E. Cannon  
Scott Cannon aka Marvin E. Cannon

Donna J. Cannon  
Jean Cannon aka Donna J. Cannon

STATE OF CALIFORNIA )  
 )  
County of Mendocino ) ss.

On 25<sup>th</sup> September, 2012, personally appeared the above-named Marvin E. Cannon and Donna J. Cannon and acknowledged the foregoing instrument to be their voluntary act before me.



Susan Norfolk  
Notary Public for California  
My Commission Expires: January 21, 2016

This conveyance is accepted and approved  
for recording on behalf of Klamath County.

SRS [Signature]

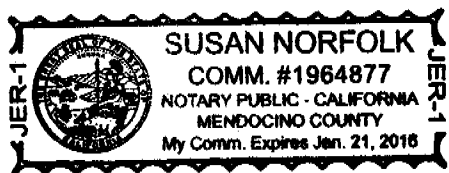
# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Mendocino

On September 25, 2016 before me, Susan Norfolk Notary Public

personally appeared Marvin E. Cannon and Donna F. Cannon



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Susan Norfolk  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

**OWNERS:** Marvin E Cannon & Donna J Cannon

**PROJECT:** Altamont/Laverne

**ADDRESS:** 660 East School Way

**PARCEL:** 1479-09

Redwood Valley, California 95470

**STATION:** 52+00 – 53+00

**PHONE:** (707) 485-7777

### SETTLEMENT AND OBLIGATIONS SUMMARY

#### Basis of Settlement

200 sq. ft. of residential land @ \$1.32/sq. ft.	\$264
Chain link fence	\$454
130 sq. ft. of lawn	\$104
Relocate access gate and replace with fencing	\$313
Total Compensation (As per the Counteroffer)	\$1,320
	(Rounded)

#### Acquiring Agency Obligations

Klamath County to construct a replacement approach, with a 14' wide curb cut, at Station 52+05. It will line up with the existing garage, and be paved with asphalt to the existing right-of-way line.

#### Seller Obligations

Seller to relocate the chain link fence and gate that lies near the intersection of the two streets at Station 52+48. This action is to help facilitate the closure of the existing road approach at that location.


**Negotiator:**

  
Karl L. Oakes, Lane County

**Dated:**

9/28/2012


**Reviewed:**

  
Doug Freeman, Lane County

**Dated:**

9/28/2012

**Approved:**

  
Stan Strickland, Klamath County

**Dated:**

OCT 05 2012

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)



## Lane County Public Works Department

August 22, 2012

Marvin E. Cannon and Donna J. Cannon,  
aka Scott Cannon and Jean Cannon  
660 East School Way  
Redwood Valley, California 95470

### **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 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 5000 on Klamath County Assessor's Map No. 39-09-10AC.

Upon delivery of a Warranty Deed, you will be paid the sum of \$1,320.00 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.

Klamath 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 22, 2012**

All right-of-way acquisitions by Klamath 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](mailto:karl.oakes@co.lane.or.us).

Respectfully,

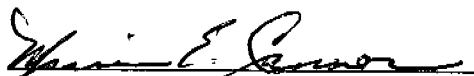


Karl L. Oakes  
Real Property Officer

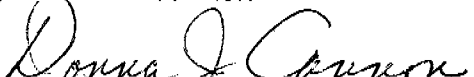
**ACCEPTANCE OF OFFER**

We hereby accept Lane County's offer, made on behalf of Klamath County, of \$1,320.00 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 25<sup>TH</sup> day of September, 2012.



Maryin E. Cannon



Donna J. Cannon

554-48-3624

Social Security No.

314-32-9376

Social Security No.

**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)

## Exhibit A

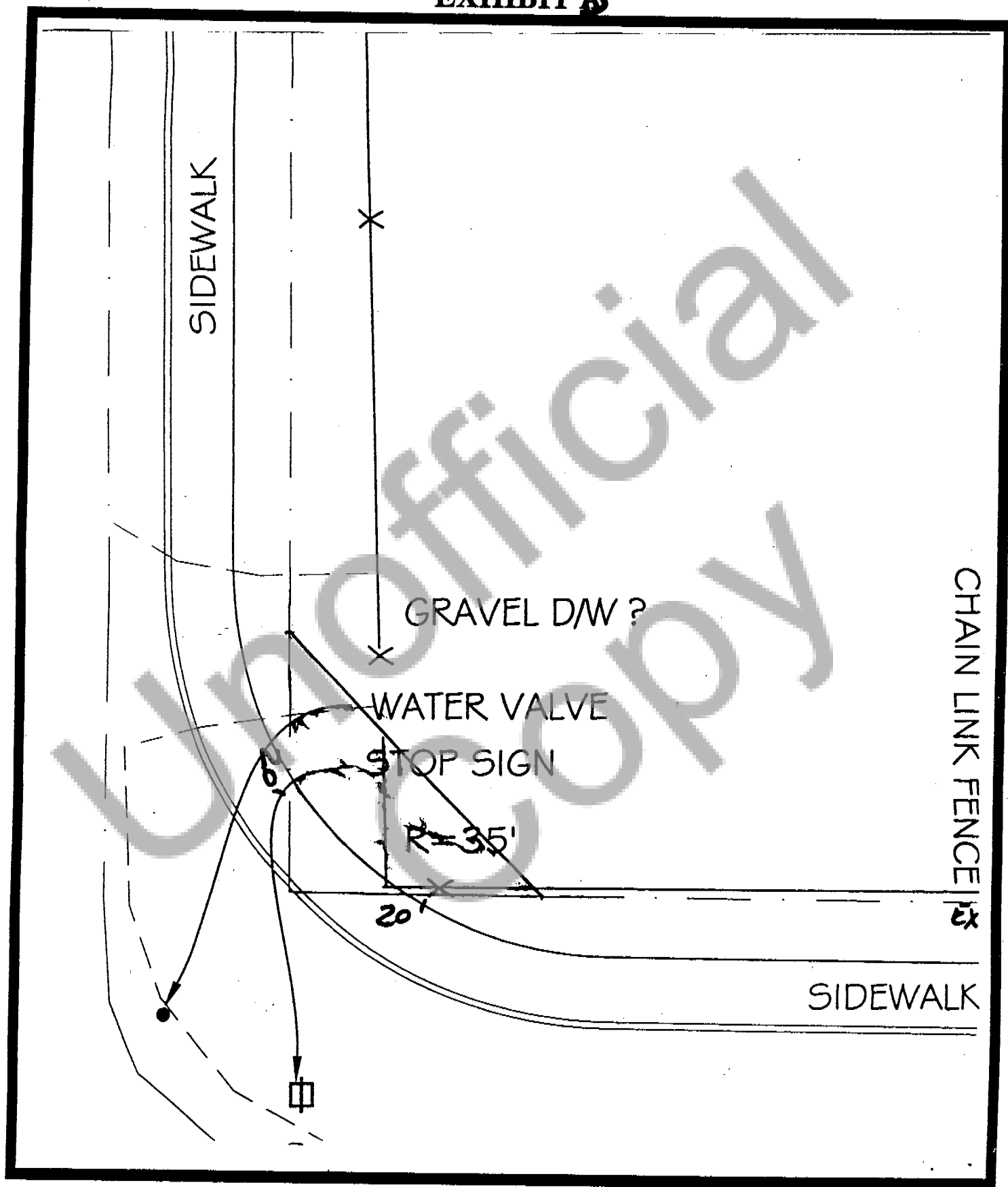
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Beginning at the Southwest corner of Lot 10, Block 7 of Plat of Altamont Acres, said point also being at the intersection of the Easterly right of way of Altamont Drive and the Northerly right of way of Laverne Avenue; thence Northerly, along the West line of said Lot 10 and the Easterly right of way of Altamont Drive, 20.00 feet; thence leaving said West line and Easterly right of way, Southeasterly to a point on the South line of said Lot 10 and the Northerly right of way of Laverne Avenue, said point being 20.00 feet Easterly from the Point of Beginning; thence Westerly, along said South line and Northerly right of way, 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.

# ACQUISITION MAP

EXHIBIT B





## EXHIBIT C

**NAME:** Marvin Cannon, et ux  
**PROJECT:** Altamont Drive  
**PARCEL:** 1479-09  
**STATION:** 52+00 – 53+00

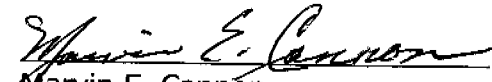

### **AGREEMENT REGARDING THE CLOSURE OF DRIVEWAY APPROACH AND CONSTRUCTION OF NEW DRIVEWAY APPROACH**

It is understood and agreed between Grantor and Klamath County that the purchase price includes payment of \$313.00 as payment for Grantor to relocate the gate that lies near the intersection (at Station 52+48) and to replace it with like-kind fencing. This action is to help facilitate the closure of the existing road approach at that location.

Klamath County will construct a replacement approach, with a 14' wide curb cut, at Station 52+05. It will line up with the existing garage, and be paved with asphalt to the existing right-of-way line.

It is further agreed that payment of the purchase price shall relieve Klamath County of any further obligation on this account, and that any replacement fencing shall be constructed and maintained by Grantor on Grantors remaining property.

Grantor agrees to relocate this gate within 90 days after payment of proceeds. Any gate or fencing not removed by Grantor within said time period shall be deemed property of Klamath County and may be removed by the County, it's agents or contractors without additional notification.

  
Marvin E. Cannon  
  
Donna J. Cannon