

mtc 91837

FILE 7561 076
MAP 11B-6-6

2012-013828

Klamath County, Oregon

12/12/2012 01:23:37 PM

Fee: \$52.00

WARRANTY DEED

JAMES L. SCHELL and MARLENE L. SCHELL, husband and wife, Grantor, for the true and actual consideration of **\$2,350** 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 **3/15/2012**, 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.

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.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value 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.

RETURN TO AND TAX STATEMENT TO:
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
4040 FAIRVIEW INDUSTRIAL DRIVE SE, MS#2
SALEM OR 97302-1142

Map and Tax Lot #: 37 11 022D0 02800 and
37 11 022A0 04100

Property Address:

52 AMT

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.

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 (9) (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.

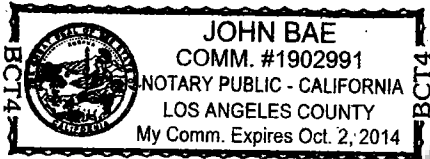
Dated this 11th day of November, 2012.


James L. Schell


Marlene L. Schell

California
STATE OF ~~OREGON~~, County of Los Angeles

Dated Nov. 3, 20 12. Personally appeared, and signed before me by, the above named
James L. Schell and Marlene L. Schell, who acknowledged the foregoing instrument to be their voluntary act.
Before me:



John Bae
Notary Public for ~~Oregon~~ California
My Commission expires Oct 2, 2014
J.B.

Accepted on behalf of the Oregon Department of Transportation

Fee

A parcel of land lying in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 37 South, Range 11 East, W.M., Klamath County, Oregon and being a portion of that property described in those Warranty Deeds to James L. Schell and Marlene L. Schell, recorded August 16, 1983 in Book M83, Pages 13733 and Book M83, Page 13736, Klamath County Record of Deeds; the said parcel being that portion of said property lying on the Westerly side of the center line of the relocated Klamath Falls - Lakeview Highway, TOGETHER WITH that portion of said property included in a strip of land, variable in width, lying on the Easterly side of said center line, which center line is described as follows:

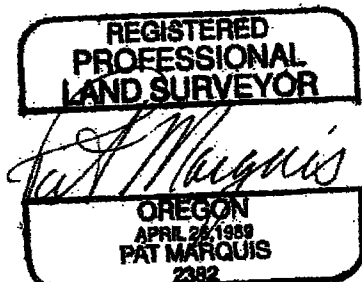
Beginning at Engineer's center line Station 1602+61.55 P.T., said station being 3,335.95 feet South and 400.02 feet West of the North Quarter corner of Section 22, Township 37 South, Range 11 East, W.M.; thence North 3° 26' 13" East 123.02 feet; thence on a spiral curve left (the long chord of which bears North 2° 11' 59" East 164.97 feet) 165.00 feet; thence on a 1,273.24 foot radius curve left (the long chord of which bears North 5° 02' 24" West 211.52 feet) 211.76 feet; thence on a spiral curve left (the long chord of which bears North 12° 16' 47" West 164.97 feet) 165.00 feet; thence North 13° 31' 02" West 56.88 feet; thence on a spiral curve right (the long chord of which bears North 11° 21' 03" West 199.89 feet) 200.00 feet; thence on a 881.47 foot radius curve right (the long chord of which bears North 0° 52' 59" East 242.32 feet) 243.09 feet; thence on a spiral curve right (the long chord of which bears North 13° 07' 01" East 199.89 feet) 200.00 feet; thence North 15° 17' 00" East 60.99 feet to Engineer's Station 1616+87.29 P.S. on said center line.

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

Station	to	Station	Width on the Easterly Side of Center Line
1602+61.55		1603+84.57	60.00 in a straight line to 75.00
1603+84.57		1605+49.57	75.00 in a straight line to 110.00
1605+49.57		1607+61.33	110.00 in a straight line to 115.00
1607+61.33		1609+26.33	115.00 in a straight line to 85.00
1609+26.33		1609+83.21	85.00 in a straight line to 80.00
1609+83.21		1611+83.21	80.00 in a straight line to 135.00
1611+83.21		1614+26.30	135.00 in a straight line to 120.00

Bearings are based upon CS 7047, Surveyed Records of Klamath County.

This parcel of land contains 1.70 acres, more or less.



EXPIRES 12-31-2012