

WTC 91993

2013-001966  
Klamath County, Oregon  
02/21/2013 03:18:05 PM  
Fee: \$52.00

**WARRANTY DEED**

**CARL OSTERMANN and CLAUDETTE L. OSTERMANN, husband and wife**, Grantor, for the true and actual consideration of **\$2,150.00** 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 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 015A0 01300

Property Address:

52AWT

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 28<sup>th</sup> day of December, 2012.

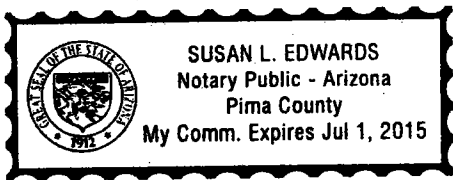
  
\_\_\_\_\_  
Carl Ostermann

  
\_\_\_\_\_  
Claudette L. Ostermann

STATE OF <sup>AZ</sup> OREGON, County of PIMA

Dated 1 - 9, 2012. Personally appeared, and signed before me by, the above named Carl Ostermann and Claudette L. Ostermann, who acknowledged the foregoing instrument to be their voluntary act.

Before me:



Suelee Edwarch  
Notary Public for Oregon <sup>AZ</sup>  
My Commission expires 7-1-2015

Accepted on behalf of the Oregon Department of Transportation

*[Signature]*

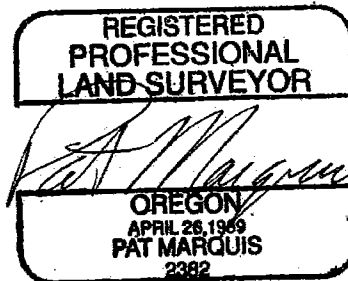
**Fee**

A parcel of land lying in the NW¼NE¼ of Section 15, Township 37 South, Range 11 East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Carl Ostermann and Claudette L. Ostermann, recorded December 29, 1989, in Book M89, Page 25239, Klamath County Record of Deeds; the said parcel being that portion of said property lying Southeasterly and Southerly of a line beginning at a point opposite and 90.00 feet Northwesterly of Engineer's Station 1678+00.00 on the center line of the relocated Klamath Falls – Lakeview Highway; thence Northeasterly, in a straight line, to a point opposite and 120.00 Northwesterly of Engineer's Station 1680+76.47 on said center line; thence Easterly, in a straight line, to a point opposite and 120.00 feet Northerly of Engineer's Station 1683+76.47 on said center line, which center line is described as follows:

Beginning at Engineer's center line Station 1635+00.00 P.O.T., said station being 244.49 feet South and 198.21 feet East of the North Quarter corner of Section 22, Township 37 South, Range 11 East, W.M.; thence North 11° 40' 22" East 386.31 feet; thence on a spiral curve left (the long chord of which bears North 11° 00' 22" East 159.99 feet) 160.00 feet; thence on a 2,291.83 foot radius curve left (the long chord of which bears North 5° 56' 12" East 298.67 feet) 298.89 feet; thence on a spiral curve left (the long chord of which bears North 0° 52' 02" East 159.99 feet) 160.00 feet; thence North 0° 12' 02" East 2,106.38 feet; thence on a spiral curve right (the long chord of which bears North 2° 35' 16" East 299.79 feet) 300.00 feet; thence on a 1,200.00 foot radius curve right (the long chord of which bears North 35° 10' 20" East 1,119.68 feet) 1,164.89 feet; thence on a spiral curve right (the long chord of which bears North 67° 45' 25" East 299.79 feet) 300.00 feet; thence North 70° 08' 38" East 907.65 feet to Engineer's Station 1692+84.12 P.S. on said center line.

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

This parcel of land contains 30,657 square feet, more or less.



*Expires 12-31-2012*