

WTC 91860

2013-001971

Klamath County, Oregon

02/21/2013 03:37:05 PM

Fee: \$52.00

### WARRANTY DEED

**DON L. CARLTON and BONNIE A. CARLTON, TRUSTEES of the Don L. Carlton Family Revocable Trust, dated January 10, 1997**, Grantor, for the true and actual consideration of **\$2,250.00** 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, EXCEPT, however,

Grantee shall either construct a public frontage road, or provide some other access road on the North side of the highway, and Grantor and Grantor's heirs, successors and assigns, shall be entitled to access to said road for any purpose upon application filed with Grantee and issuance of a road approach permit pursuant to applicable statutes and regulations. Said road shall be connected to the main highway or to other public ways only at such places as Grantee may select.

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.

**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 015C0 02000

Property Address: Block 10 Lot 39 Forest Estates  
Klamath Falls, OR 97601

524wct

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, 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 25<sup>th</sup> day of JANUARY, 2013

**DON L. CARLTON FAMILY REVOCABLE  
TRUST, dated January 10, 1997**

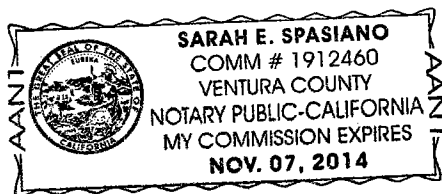
 TRUSTEE  
Don L. Carlton, Trustee

 TRUSTEE  
Bonnie A. Carlton, Trustee

CALIFORNIA  
STATE OF ~~OREGON~~, County of Ventura

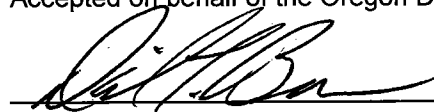
Dated Jan 25, 20 13. Personally appeared the above named Don L. Carlton and Bonnie

A. Carlton, Trustees, and acknowledged the foregoing instrument to be their voluntary act. Before me:



Sarah E. Spasiano  
Notary Public for Oregon CALIFORNIA  
My Commission expires 11/07/2014

Accepted on behalf of the Oregon Department of Transportation



**Fee**

A parcel of land lying in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 15, Township 37 South, Range 11 East, W.M., Klamath County, Oregon and being a portion of that property described in that Grant Deed to Don L. and Bonnie A. Carlton, Trustees of the Don L. Carlton Family Revocable Trust, recorded January 28, 1997 in Book M97, Page 2407, Klamath County Record of Deeds; the said parcel being that portion of said property lying on the Easterly 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 Westerly side of said center line, which center line is described as follows:

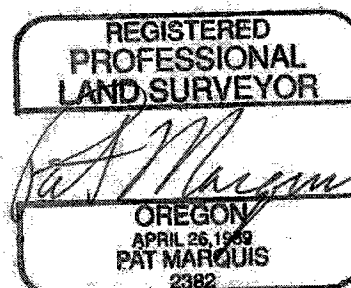
Beginning at Engineer's center line Station 1635+00.00 P.O.T., said station being 244.49 feet South and 198.21 feet East of the North Quarter corner of Section 22, Township 37 South, Range 11 East, W.M.; thence North 11° 40' 22" East 386.31 feet; thence on a spiral curve left (the long chord of which 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.

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

Station	to	Station	Width on the Westerly Side of Center Line
1637+00.00		1638+86.31	140.00
1638+86.31		1640+46.31	140.00 in a straight line to 145.00

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

This parcel of land contains 18,657 square feet, more or less.



*Expires 12-31-2012*