

2013-003001  
Klamath County, Oregon  
03/20/2013 10:31:52 AM  
Fee: \$62.00

Q MTC 91726

**WARRANTY DEED**

**TERRY W. SHOOK**, Grantor, for the true and actual consideration of **\$9,135** 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 1/15/2013**, 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 Right 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. Grantor conveys and specially warrants to the State of Oregon, by and through its Department of Transportation, Grantee, the following described real property free and clear of encumbrances and claims created or suffered by the grantor or by any predecessor in interest to grantor as beneficiary, assignee, or nominee, or the trustee or successor trustee under that certain trust deed recorded June 30, 2005 in Volume M05, Page 50107, Microfilm Records of Klamath County, Oregon, except as specifically set forth below:

**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 #: 38 11 04B 02100 - 000

Property Address: 8936 Prairie Dog Drive  
Bonanza, OR 97623

62 AMT

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.

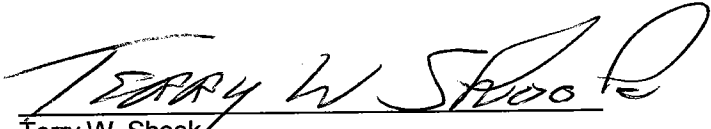
In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

**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 2nd day of MARCH, 2013.

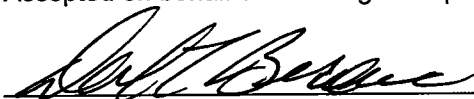
  
Terry W. Shook

STATE OF California, County of \_\_\_\_\_

Dated \_\_\_\_\_, 20\_\_\_\_\_. Personally appeared, and signed before me by, the above named  
Terry W. Shook, who acknowledged the foregoing instrument to be his/her voluntary act. Before me:

\_\_\_\_\_  
Notary Public for California  
My Commission expires \_\_\_\_\_

Accepted on behalf of the Oregon Department of Transportation

  
\_\_\_\_\_

# ACKNOWLEDGMENT

State of California  
County of

Riverside

On MARCH 2ND, 2013 before me, MARIAN ILESCAS Notary Public  
(insert name and title of the officer)

personally appeared TERRY W. SHOOK  
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.

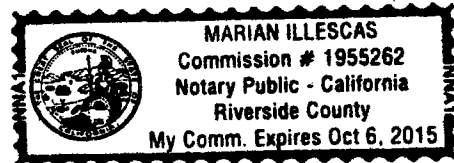
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



**Fee**

A parcel of land lying in the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 4, Township 38 South, Range 11 East, W.M., Klamath County, Oregon and being a portion of that property described in that Special Warranty Deed to Terry W. Shook, recorded November 14, 2012 in Book 2012, Page 012706, Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on Southwesterly side of center line of the relocated Klamath Falls – Lakeview Highway, which center line is described as follows:

Beginning at Engineer's center line Station 1326+00.00, said station being 6,637.29 feet South and 9,090.64 feet West of the East Quarter corner of Section 33, Township 37 South, Range 11 East, W.M.; thence North 52° 28' 42" East 2,694.02 feet; thence on a spiral curve left (the long chord of which bears North 49° 17' 46" East 299.63 feet) 300.00 feet; thence on a 900.00 foot radius curve left (the long chord of which bears North 35° 35' 57" East 229.65 feet) 230.28 feet; thence on a spiral curve left (the long chord of which bears North 21° 54' 08" East 299.63 feet) 300.00 feet; thence North 18° 43' 11" East 69.31 feet; thence on a spiral curve right (the long chord of which bears North 21° 35' 02" East 269.73 feet) 270.00 feet; thence on a 900.00 foot radius curve right (the long chord of which bears North 47° 08' 19" East 610.45 feet) 622.81 feet; thence on a spiral curve right (the long chord of which bears North 72° 41' 36" East 269.73 feet) 270.00 feet; thence North 75° 33' 27" East 256.70 feet; thence on a spiral curve right (the long chord of which bears North 78° 05' 14" East 219.83 feet) 220.00 feet; thence on a 830.37 foot radius curve right (the long chord of which bears South 73° 41' 32" East 653.18 feet) 671.31 feet; thence on a spiral curve right (the long chord of which bears South 45° 28' 18" East 219.83 feet) 220.00 feet; thence South 42° 56' 32" East 449.16 feet; thence on a spiral curve right (the long chord of which bears South 42° 29' 32" East 120.00 feet) 120.00 feet; thence on a 2,546.48 foot radius curve right (the long chord of which bears South 38° 59' 56" East 230.42 feet) 230.50 feet; thence on a spiral curve right (the long chord of which bears South 35° 30' 21" East 120.00 feet) 120.00 feet; thence South 35° 03' 21" East 309.71 feet to Engineer's center line Station 1399+53.81.

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

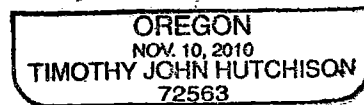
Station	to	Station	Width on the Southerly Side of Center Line
1387+24.43		1392+93.60	125.00
1392+93.60		1395+24.10	125.00 in a straight line to 135.00

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

This parcel of land contains 7,564 square feet , more or less.



*Timothy J. Hutchison*



RENEWS: 6/30/13