

MC 92418

2013-005525
Klamath County, Oregon
05/16/2013 03:41:46 PM
Fee: \$57.00

BARGAIN AND SALE DEED

U.S BANK NATIONAL ASSOCIATION, which acquired title as **THE UNITED STATES NATIONAL BANK OF PORTLAND**, a National Banking Association; and **U.S BANK NATIONAL ASSOCIATION**, which acquired title as **UNITED STATES NATIONAL BANK OF OREGON**, a National Banking Association, Grantor, for the true and actual consideration of \$720.00, does convey unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, fee title to the property described as **Parcels 1 and 2 on Exhibit "A" dated 5/14/2012**, attached hereto and by this reference made a part hereof.

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property described as **Parcels 3 and 4 on Exhibit "A" dated 5/14/2012**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate three (3) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

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 #: 3909-003DB-00300-000

Property Address: 3720 S. 6th Street
Klamath Falls, OR 97702

57 AMT

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcels 3 and 4, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages 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 18th day of APRIL, 2013.

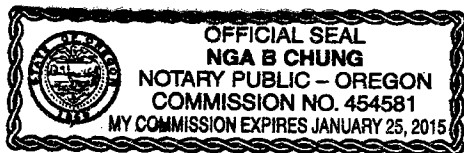
U.S. BANK NATIONAL ASSOCIATION which
acquired title as THE UNITED STATES
NATIONAL BANK OF PORTLAND, a National
Banking Association and as UNITED STATES
NATIONAL BANK OF OREGON, a National
Banking Association

By Randal G. Aden

By David A. Hammes

STATE OF OREGON, County of Multnomah

Dated April, 18th, 2013. Personally appeared the above named Randal G. Aden and David A. Hammes, known by me to be the Vice President and The Assistant Vice President of U.S. BANK NATIONAL ASSOCIATION, who acknowledged that he/she/they executed the same for the purposes therein expressed and in the capacity therein stated, as the act and deed of said Bank. Before me:



Rang Chung
Notary Public for Oregon
My Commission expires 1/25/2015

Accepted on behalf of the Oregon Department of Transportation

[Signature]

Parcel 1 – Fee

A parcel of land lying in the NW¼SE¼ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Warranty Deed to The United States National Bank of Portland, recorded August 8, 1957 in Book 293, Page 435, Klamath County Record of Deeds; said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer's Stations 58+90.00 and 61+16.00 and included in a strip of land 41.00 feet in width, lying on the Southerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 24+00.00, said station being 1,973.05 feet West and 1,304.43 North of the Center quarter corner of Section 3, Township 39 South, Range 9 East W.M.; thence South 55° 50' 25" East 1,765.50 feet; thence on a spiral curve left (the long chord of which bears South 59° 31' 15" East 469.22 feet) 470.00 feet; thence on a 1,219.06 foot radius curve left (the long chord of which bears South 72° 54' 28" East 255.81 feet) 256.28 feet; thence on a spiral curve left (the long chord of which bears South 86° 17' 41" East 469.22 feet) 470.00 feet to Engineer's center line Station 53+61.77 Back equals 53+70.60 Ahead; thence South 89° 58' 31" East 2,150.39 feet to Engineer's Station 75+20.99 Back equals 75+21.60 Ahead, on said center line.

Bearings are based on County Survey No. 7892, filed January, 2012, Klamath County, Oregon.

This parcel of land contains 27 square feet, more or less.

Parcel 2 – Fee

A parcel of land lying in the NW¼SE¼ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Warranty Deed to The United States National Bank of Oregon, recorded June 1, 1967 in Book M-67, Page 4075, Klamath County Record of Deeds; said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer's Stations 58+90.00 and 61+16.00 and included in a strip of land 41.00 feet in width, lying on the Southerly side of said center line which center line is described in Parcel 1.

This parcel of land contains 46 square feet, more or less.

Parcel 3 – Temporary Easement For Work Area (3 years or duration of project, whichever is sooner)

A parcel of land lying in the NW¼SE¼ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Warranty Deed to The United States National Bank of Oregon, recorded June 1, 1967 in Book M-67, Page 4075, Klamath County Record of Deeds; said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer's Stations 58+80.00 and 61+16.00 and included in a strip of land 51.00 feet in width, lying on the Southerly side of said center line which center line is described in Parcel 1.

EXCEPT therefrom Parcel 2.

This parcel of land contains 461 square feet, more or less.

Parcel 4 – Temporary Easement For Work Area (3 years or duration of project, whichever is sooner)

A parcel of land lying in the NW¼SE¼ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Warranty Deed to The United States National Bank of Portland, recorded August 8, 1957 in Book 293, Page 435, Klamath County Record of Deeds; said parcel being that portion of said property lying between lines at right angles to the center line of the relocated Klamath Falls – Lakeview Highway at Engineer's Stations 58+80.00 and 61+16.00 and included in a strip of land 51.00 feet in width, lying on the Southerly side of said center line, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This parcel of land contains 380 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert A. Churchill
OREGON
MAY 10, 2011
ROBERT A. CHURCHILL
77636

RENEWS: 12/31/2013