



2013-012587  
Klamath County, Oregon  
11/12/2013 09:04:11 AM  
Fee: \$57.00

### WARRANTY DEED

**TESORO REFINING & MARKETING COMPANY LLC**, a Delaware limited liability company, successor to **Tesoro Refining and Marketing Company**, a Delaware corporation, ("Grantor"), for the true and actual consideration of \$ 3,501.00, does convey unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, ("Grantee"), fee title to the property currently abutting South 6<sup>th</sup> Street and described as **Parcel 1 on Exhibit "A" dated 11/19/2012**, attached hereto and by this reference made a part hereof, subject to all recorded leases, encumbrances, easements, rights-of-way, covenants and other matters of record as of the date hereof.

TOGETHER WITH ALL abutter's rights of access, if any, between the above-described parcel and Grantor's remaining real property, EXCEPT, however,

Reserving access rights for the service of Grantor's remaining property, to and from said remaining property and the abutting highway at the following place(s), in the following width(s):

Hwy. Engr's Sta.	Side of Hwy.	Width
117 + 54	South	40
115 + 74	South	35

The access rights reserved herein are subject to, and may only be exercised in accordance with, the statutes and administrative rules applicable to access control and road approaches. Such access is contingent upon issuance of an approach road permit, and no access rights may be exercised or construction of an approach road begun unless, and until, a standard Approach Road Permit application is submitted and a permit issued by the Oregon Department of Transportation. Said approach road may only be constructed or maintained upon issuance of such permit and in accordance with such permit. If the State constructs the approach road during a highway project, Grantor is required to sign a standard Approach Road Permit to ensure proper operation and maintenance of the approach road.

**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 #: 39 09 002DA 01600

Property Address: 5400 6<sup>TH</sup> Street  
Klamath Falls, OR 97603

57.00

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property currently abutting South 6<sup>th</sup> Street and described as **Parcel 2 on Exhibit "A" dated 11/19/2012**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate (i) three (3) years from the date hereof, or (ii) six (6) months after commencement of the above-mentioned construction project, on Parcel 1, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcel 2, 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 covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property which is free from encumbrances, except for recorded easements, conditions, and other matters 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 of Grantee or its contractors, subcontractors or agents.

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.

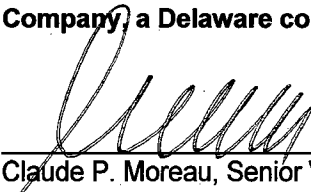
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 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.

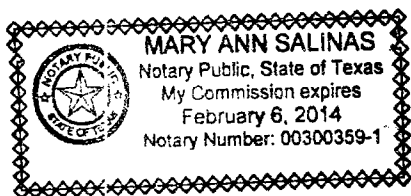
Dated this 27<sup>th</sup> day of September, 2013.

**TESORO REFINING & MARKETING COMPANY  
LLC, a Delaware limited liability company,  
successor to Tesoro Refining and Marketing  
Company, a Delaware corporation**

  
\_\_\_\_\_  
Claude P. Moreau, Senior Vice President Marketing

STATE OF TEXAS, County of Bexar

Dated September 27<sup>th</sup>, 2013. Personally appeared the above named Claude P. Moreau, Senior Vice President Marketing of Tesoro Refining & Marketing Company LLC, a Delaware limited liability company, who acknowledged the foregoing instrument to be his voluntary act. Before me:



Mary Ann Salinas  
Notary Public for TEXAS  
My Commission expires 02-06-2014

Accepted on behalf of the Oregon Department of Transportation

Joseph A. Gray  
Joseph A. Gray

**Parcel 1 – Fee**

A parcel of land lying in the NE¼SE¼ of Section 2, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property designated as Parcel 1 and described in that Statutory Bargain and Sale Deed to Tesoro Refining and Marketing Company, a Delaware Corporation recorded February 22, 2012 in Book 2012 Page 001951, 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 117+09.00 and 117+33.00 and included in a strip of land 48.00 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 75+21.60, said station being 131.80 feet East and 1.47 feet South of the West quarter corner of Section 2, Township 39 South, Range 9 East W.M.; thence North 89° 44' 04" East 2,984.00 feet; thence South 89° 52' 38" East 2,309.15 feet to Engineer's center line Station 128+14.75 Back equals 128+15.00 Ahead, on said center line.

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

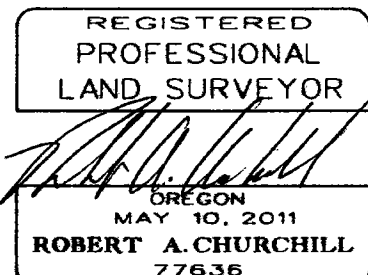
This parcel of land contains 192 square feet, more or less.

**Parcel 2 - Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in the NE¼SE¼ of Section 2, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property designated as Parcel 1 as described in that Statutory Bargain and Sale Deed to Tesoro Refining and Marketing Company, a Delaware Corporation, recorded February 22, 2012 in Book 2012 Page 001951, 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 116+99.00 and 117+43.00 and included in a strip of land 58.00 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 529 square feet, more or less.



RENEWS: 12/31/2013