



WARRANTY DEED

ANITA CRISTINE O'BRIEN, Grantor, for the true and actual consideration of **\$23,275** does convey unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, fee title to the property described as **Parcel 1 on Exhibit "A" dated 8/9/2018**, 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 **Parcel 2 on Exhibit "A" dated 8/9/2018**, 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.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcel 3, 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 easements, conditions, and restrictions of record, and will warrant the same from all lawful claims whatsoever, except as stated herein.

**AFTER RECORDING RETURN TO &
TAX STATEMENTS 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 12DA 1300

Property Address:

THIS IS A PARTIAL ACQUISITION FOR ROAD PURPOSES

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 18th day of October, 2018.

Anita cristine O'Brien
Anita Christinen O'Brien
Anita Cristine O'Brien

Parcel 1 – Fee

A parcel of land lying in Lots 4, 5, 6 and 7 of Hager Acres, Klamath County, Oregon; said parcel being a portion of that property described in that Bargain and Sale Deed to Anita Cristine O'Brien recorded November 6, 1992 in Volume M92, Page 26260, 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 the Westerly side of the center line of the relocated Klamath Falls-Malin Highway, which center line is described as follows:

Beginning at Engineer's center line Station "KFM" 205+00.00, said station being 552.55 feet North and 1.96 feet West of the East quarter corner of Section 12, Township 39 South, Range 9 East, W.M.; thence South 00°10'11" East 552.00 feet; thence South 00° 20' 16" West 948.00 feet to Engineer's Station "KFM" 220+00.00 on said center line.

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

Station	to	Station	Width on Westerly Side of Center Line
212+60.00		214+74.00	55.00 in a straight line to 52.00
214+74.00		214+96.00	52.00 in a straight line to 68.00
214+96.00		215+85.00	68.00

Bearings are based upon the Oregon Coordinate Reference System (O.C.R.S.), Bend-Klamath Falls Zone, NAD 83(2011) Epoch 2010.00.

This parcel of land contains 8,053 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 Lots 4, 5, 6 and 7 of Hager Acres, Klamath County, Oregon: said parcel being a portion of that property described in that Bargain and Sale Deed to Anita Cristine O'Brien recorded November 6, 1992 in Volume M92, Page 26260, 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 the Westerly side of the center line of the relocated Klamath Falls-Malin Highway, which center line is described in Parcel 1.

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

Station	to	Station	Width on Westerly Side of Center Line
212+55.00		213+94.00	60.00 in a straight line to 58.00
213+94.00		214+54.00	78.00
214+54.00		214+74.00	57.00
214+74.00		214+96.00	57.00 in a straight line to 73.00
214+96.00		215+85.00	73.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 2,627 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED Aug 14 2018 3:39 PM

OREGON
NOVEMBER 10, 2010
TIMOTHY JOHN HUTCHISON
72563

EXPIRES 6/30/19