



MTG 204135 AM
File 9310001
Drawing 11B-9-27

2019-000720

Klamath County, Oregon

01/24/2019 03:45:00 PM

Fee: \$102.00

CONVEYANCE OF ACCESS RIGHTS and BARGAIN AND SALE DEED

For the true and actual consideration of \$4,632.00, **STATE OF OREGON**, acting through the **OREGON BOARD OF FORESTRY** on behalf of the **OREGON DEPARTMENT OF FORESTRY**, Grantor, as the owner of the property described as **Parcel 1 on Exhibit "A" dated 2/06/2018** attached hereto and by this reference made a part hereof, does convey and relinquish unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, all abutter's rights of access, if any, between The Dalles-California Highway, 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 to the abutting highway at the following place(s), in the following width(s):

Hwy. Engr's Sta.
1476+75

Side of Hwy.
Left

Width
25'

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. The 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.

Grantor represents that no one, other than Grantor, is using or entitled to use the access rights herein conveyed and does covenant to and with Grantee, its successors and assigns, that Grantor is the legal owner of the above-mentioned property.

AFTER RECORDING RETURN TO:
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
4040 FAIRVIEW INDUSTRIAL DRIVE SE MS#2
SALEM OR 97302-1142

Map and Tax Lot #: 24-09-100 and 600

Property Address: APN's 2409-00000-00100, 00600
R-2409-0030BO-00202

102

GRANTOR ALSO CONVEYS UNTO the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the property described as **Parcels 2, 3 and 4 on Exhibit "A" dated 2/06/2018** attached hereto and by this reference made a part hereof.

TOGETHER WITH all abutter's rights of access, if any, between The Dalles-California Highway 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 to the abutting highway at the following place(s), in the following width(s):

Hwy. Engr's Sta.	Side of Hwy.	Width
1476+75	Left	25'

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. The 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.

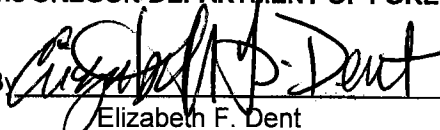
Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does 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.

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.

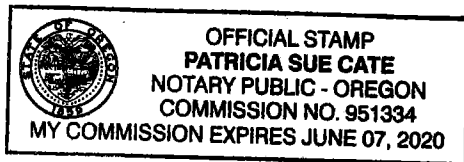
Dated this 9th day of January, 2019.

STATE OF OREGON, acting through the
OREGON BOARD OF FORESTRY on behalf of
the OREGON DEPARTMENT OF FORESTRY

By 
Elizabeth F. Dent
Title State Forests Division Chief

STATE OF OREGON, County of Marion

Dated January 9, 2019. Personally appeared Elizabeth F. Dent, who
being sworn, stated that ~~he~~/she is the State Forests Division Chief for the State of Oregon, acting through the
Oregon Board of Forestry on behalf of the Oregon Department of Forestry and that this document was voluntarily signed on
behalf of the State of Oregon by authority delegated to ~~him~~/her. Before me:



Patricia Sue Cate
Notary Public for Oregon
My Commission expires 6/7/2020

Accepted on behalf of the Oregon Department of Transportation

[Signature]

Parcel 1 – Access Only

A parcel of land lying in the NE1/4SE1/4 of Section 4, the NW1/4SW1/4 of Section 9 and the SE1/4NW1/4 of Section 17, all of Township 24 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Correction Deed to the State of Oregon, acting through the Oregon Board of Forestry on behalf of the Oregon Department of Forestry, recorded July 21, 2010 as Instrument No. 2010-008699 of Klamath County Record of Deeds.

Parcel 2 - Fee

A parcel of land lying in Lots 3 and 4 of Section 3, Township 24 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Correction Deed to the State of Oregon, acting through the Oregon Board of Forestry on behalf of the Oregon Department of Forestry, recorded July 21, 2010 as Instrument No. 2010-008699 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 100.00 feet in width, lying on the Southeasterly side of the center line of the relocated The Dalles-California Highway, which center line is described as follows:

Beginning at Engineer's center line Station 1300+00.00 P.O.T., said station being 692.10 feet North and 536.09 feet East of the East one-sixteenth corner of Section 34, Township 23 South, Range 9 East, W.M. and Section 3, Township 24 South, Range 9 East, W.M.; thence South 52° 50' 32" West 2,855.92 feet; thence on a spiral curve left (the long chord of which bears South 52°10'04" West 399.98 feet) 400.00 feet; thence on a 5,664.25 foot radius curve left (the long chord of which bears South 44°50'24" West 1,180.04 feet) 1,182.18 feet; thence on a spiral curve left (the long chord of which bears South 37°30'44" West 399.98 feet) 400.00 feet; thence South 36°50'16" West 939.10 feet to Engineers center line Station 1357+77.20 Back equals 1356+77.20 Ahead; thence South 36°50'16" West 14,322.80 feet to engineer's center line station 1500+00.00 P.O.T.

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

This parcel of land contains 2.36 acres, more or less.

Parcel 3 - Fee

A parcel of land lying in the SW1/4NW1/4 of Section 3 and the SE1/4NE1/4 of Section 4, both in Township 24 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Correction Deed to the State of Oregon, acting through the Oregon Board of Forestry on behalf of the Oregon Department of Forestry, recorded July 21, 2010 as Instrument No. 2010-008699 of 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 Southeasterly side of the center line of the relocated The Dalles-California Highway, which center line is described in Parcel 2.

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

Station	to	Station	Width on Southeasterly Side of Center
1340+47.00		1341+59.00	81.00 in a straight line to 128.00
1341+59.00		1344+38.10 P.C.S.	128.00
1344+38.10 P.C.S.		1348+93.00	128.00 in a straight line to 91.00

This parcel of land contains 13,907 square feet, more or less.

Parcel 4 - Fee

A parcel of land lying in the E1/2SE1/4 of Section 8 and the NE1/4 of Section 17, both in Township 24 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Special Warranty Deed For Property Line Adjustment to the State of Oregon, acting through the Oregon Board of Forestry on behalf of the Oregon Department of Forestry, recorded April 11, 2011 as Instrument No. 2010-004620 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 100.00 feet in width, lying on the Southeasterly side of the center line of the relocated The Dalles-California Highway, which center line is described in Parcel 2.

ALSO a parcel of land lying in the NE1/4NE1/4 of said Section 17; the said parcel being that portion of said property lying Northwesterly of said center line.

This parcel of land contains 5.04 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED Feb 6 2018 2:47 PM

OREGON
NOVEMBER 10, 2010
TIMOTHY JOHN HUTCHISON
72563

EXPIRES 6/30/19