

FILE# 9356001  
MAP 11B-9-48

2019-014023

Klamath County, Oregon

12/03/2019 10:51:01 AM

Fee: \$97.00

AmeriTitle  
MTC 201811AM

### QUITCLAIM DEED

**TRUAX CORPORATION**, an Oregon corporation doing business as **TOWNE PUMP**, Grantor, being the holder of a leasehold interest in the hereinafter described property, for no monetary consideration does relinquish and forever quitclaim unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, all of Grantor's right, title, and interest in and to the property described as **Parcel 1 on Exhibit "A" dated 11/29/2018**, attached hereto and by this reference made a part hereof.

And subordinates all Grantor's right, title, and interest in and to the real property described in that certain temporary easement for work area heretofore granted by Klamath Petroleum Distributing, Inc., an Oregon corporation, to the State of Oregon, by and through its Department of Transportation, the property described as **Parcel 2 on Exhibit "A" dated 11/29/2018**, attached hereto and by this reference made a part hereof.

**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.**

SEND TAX STATEMENT TO: NO CHANGE

**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 #: 39 09 02BC 06200

Property Address:

**THIS IS A PARTIAL ACQUISITION FOR HIGHWAY PURPOSES**

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).

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 8<sup>th</sup> day of October, 20 19.

TRUAX CORPORATION, an Oregon corporation doing  
business as TOWNE PUMP

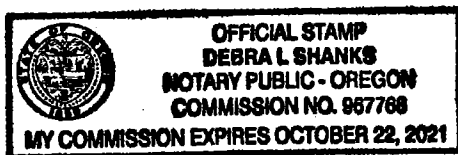
By John Truax  
President

By Maria Truax  
Secretary

STATE OF OREGON, County of BENTON

Dated OCTOBER 8, 20 19. Personally appeared JOHN TRUAX and

MARIA TRUAX, who, being sworn, stated that they are the President and Secretary of Truax Corporation, an Oregon corporation doing business as Towne Pump, and that this instrument was voluntarily signed on behalf of the corporation by authority of its Board of Directors. Before me:



Debra L. Shanks  
Notary Public for Oregon  
My Commission expires 10-22-2021

Accepted on behalf of the Oregon Department of Transportation

Albert B. Bur

**Parcel 1 - Fee**

A parcel of land lying in the SW¼NW¼ of Section 2, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Klamath Petroleum Distributing, INC., and Oregon corporation, recorded November 10, 1966 in Book M-66, Page 11671, 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 Northerly side of the center line of the relocated Klamath Falls-Lakeview Highway, 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; thence South 89° 51' 00" East 360.50 feet to center line station 131+75.50 on said center line.

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

Station	to	Station	Width on Northerly Side of Center Line
77+38.00		77+70.00	54.00
77+70.00		79+17.00	42.00

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

This parcel of land contains 489 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 SW¼NW¼ of Section 2, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that Warranty Deed to Klamath Petroleum Distributing, INC., and Oregon corporation, recorded November 10, 1966 in Book M-66, Page 11671, 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 Northerly side of the center line of the relocated Klamath Falls-Lakeview 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 Northerly Side of Center Line
77+38.00		77+72.00	62.00
77+72.00		79+17.00	55.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 2,048 square feet, more or less.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

DIGITALLY SIGNED Feb 28 2019 10:10 AM

OREGON  
NOVEMBER 10, 2010  
TIMOTHY JOHN HUTCHISON  
72563

EXPIRES 6/30/19