

CONVEYANCE OF ACCESS RIGHTS and WARRANTY DEED

For the true and actual consideration of \$23,800, **SIMON SEID**, Grantor, as the owner of the property described as **Parcel 1 on Exhibit "A" dated 04/14/2020** 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 South Klamath Falls 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
320+40	Right	20

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.

Grantee shall either construct a public frontage road, or provide some other access road on the right side of the highway, and Grantor and Grantor's heirs, successors and assigns, shall be entitled to access to said road for any purpose upon application filed with Grantee and issuance of a road approach permit pursuant to applicable statutes and regulations. Said road shall be connected to the main highway or to other public ways only at such places as Grantee may select.

Grantor represents and warrants 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 &
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 #: 39S9E 1400-800

Property Address:

THIS IS A PARTIAL ACQUISITION FOR ROAD PURPOSES

GRANTOR ALSO CONVEYS UNTO the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, Grantee, fee title to the property described as **Parcel 2 on Exhibit "A" dated 04/14/2020** attached hereto and by this reference made a part hereof.

TOGETHER WITH all abutter's rights of access, if any, between the South Klamath Falls 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
320+40	Right	20

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.

Grantee shall either construct a public frontage road, or provide some other access road on the right side of the highway, and Grantor and Grantor's heirs, successors and assigns, shall be entitled to access to said road for any purpose upon application filed with Grantee and issuance of a road approach permit pursuant to applicable statutes and regulations. Said road shall be connected to the main highway or to other public ways only at such places as Grantee may select.

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.

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.

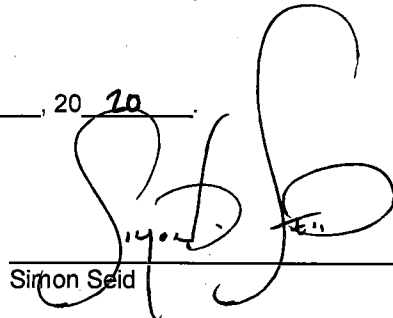
In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

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 17 day of August, 20 20

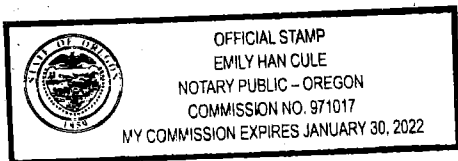

Simon Seid

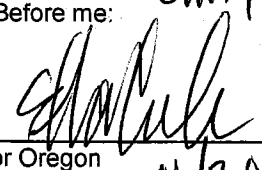
STATE OF OREGON, County of Multnomah

Dated August 17th, 20 20 Personally appeared, and signed before me by the above named

Simon Seid, who acknowledged the foregoing instrument to be his voluntary act. Before me:

Emily Cule




Notary Public for Oregon
My Commission expires 01/30/2022

Accepted on behalf of the Oregon Department of Transportation

Parcel 1 – Access

A parcel of land lying in the SW¼SE¼ of Section 14, Township 39 South, Range 9 East, W.M., Klamath County, Oregon, and being a portion of that property described in that Warranty Deed to Jerry F. Seid, recorded March 23, 1995 in Book M95 Page 6907, of Klamath County Record of Deeds.

Parcel 2 - Fee

A parcel of land lying in the SW¼SE¼ of Section 14, Township 39 South, Range 9 East, W.M., Klamath County, Oregon, and being a portion of that property described in that Warranty Deed to Jerry F. Seid, recorded March 23, 1995 in Book M95 Page 6907, of Klamath County Record of Deeds; said parcel being that portion of said property lying Northeasterly of the following described line:

Beginning at a point opposite and 50.00 feet Southerly of Engineer's Station 321+50.00 on the center line of the relocated South Klamath Falls Highway; thence Easterly in a straight line to a point opposite and 188.00 feet Southerly of Engineer's Station 328+16.00 on the center line of the relocated South Klamath Falls Highway; thence Southeasterly in straight line to a point opposite and 211.70 feet Southerly from Engineer's Station 328+35.82 on the center line of the relocated South Klamath Falls Highway; thence Southerly in straight line to a point opposite and 115.00 feet Westerly from Engineer's Station 'H' 71+00.00 on the center line of the relocated County Road 880 (Homedale Road).

The center line of the relocated South Klamath Falls Highway is described as follows:

Beginning at Engineer's center line Station 262+85.82, said station being South 1,347.33 feet and West 2,642.44 feet of the East quarter corner of Section 15, Township 39 South, Range 9 East, W.M.; thence South 89°06'25" East 1,378.36 feet; thence on a 8,500.09 foot radius curve left (the long chord of which bears North 88°48'41" East 617.47 feet) 617.61 feet; thence North 86°43'48" East 13.21 feet to Engineer's center line Station 282+95.00 Back equals 282+94.97 Ahead; thence North 86°43'48" East 434.82 feet; thence on a 8,500.39 foot radius curve right (the long chord of which bears North 88°07'32" East 414.08 feet) 414.12 feet; thence North 89°31'17" East 1,133.42 feet; thence South 89°40'28" East 2,669.36 feet to Engineer's center line station 340+00.30, said station being South 1,407.88 feet and West 275.64 feet of the Southeast corner of Section 14, Township 39 South, Range 9 East, W.M.

The center line of the relocated County Road 880 is described as follows:

Beginning at Engineer's center line Station 'H' 63+27.25, said station being North 10.37 feet and West 1,327.25 feet of the Southeast corner of Section 14, Township 39 South,

Range 9 East, W.M.; thence North $0^{\circ}02'35''$ East 2,722.75 feet to Engineer's center line station 'H' 90+50.00, said station being North 4.53 feet and East 4021.05 feet of the West quarter corner of Section 14, Township 39 South, Range 9 East, W.M.

Bearings are based on the Oregon Coordinate Reference System – Bend Klamath Falls Zone, NAD 83 (2011) epoch 2010.00.

This parcel of land contains 2.28 acres, more or less, outside the existing right of way.

