

AmeriTitle
MTC 695999 AM

WARRANTY DEED

RICH STEWART, Grantor, for the true and actual consideration of **\$3,000.00** 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 11/12/20**, 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.

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 11/12/20**, 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 State of Oregon Department of Transportation's 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 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.

**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 #: 38S09E20CB300

Property Address:

THIS IS A PARTIAL ACQUISITION FOR ROAD PURPOSES

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 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).

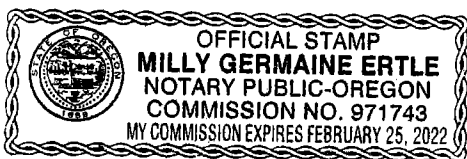
It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

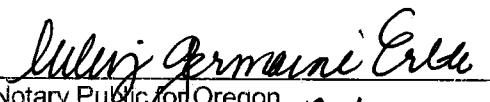
Dated this 29th day of October, 2021.


Rich Stewart

STATE OF OREGON, County of Josephine

Dated October 29, 2021. Personally appeared, and signed before me by the above named Rich Stewart, who acknowledged the foregoing instrument to be his voluntary act. Before me:




Notary Public for Oregon
My Commission expires February 25, 2022

Accepted on behalf of the Oregon Department of Transportation



Parcel 1 – Fee

A parcel of land lying in NW1/4 of the SW1/4 of Section 20, Township 38 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of land described in that Quitclaim Deed to Rich Stewart recorded August 7, 2002 in Book M02, Page 44392 of Klamath County Record of Deeds, said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of said center line of the relocated The Dalles – California Highway, which center line is described as follows:

Beginning at Engineer's center line Station 'US 97' 3+25.27, said station being 1,930.56 feet South and 202.64 feet East of the Northwest corner of Section 20, Township 38 South, Range 9 East, W.M., thence on a spiral curve right (the long chord of which bears South 27° 46' 40" East 499.32 feet) 500.00 feet; thence on a 1,432.39 foot radius curve right (the long chord of which bears South 11° 31' 52" East 476.73 feet) 478.96 feet; thence on a spiral curve right (the long chord of which bears South 4° 42' 57" West 499.32 feet) 500.00 feet; thence South 8° 02' 53" West 1,195.77 feet to Engineer's center line Station 30+00.00.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Westerly Side of Center Line
13+04.23		17+60.00	90.00 in a straight line to 111.00

Bearings are based on the Oregon Coordinate Reference System (OCRS), Bend - Klamath Falls zone (2011) epoch 2010.

The parcel of land to which this description applies contains 13,105 square feet more or less, outside the existing rights of way.

PARCEL 2 – Temporary Easement for Work Area (3 years or duration of Project whichever is sooner)

A parcel of land lying in NW1/4 of the SW1/4 of Section 21, Township 38 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of land described in that Quitclaim Deed to Rich Stewart recorded August 7, 2002 in Book M02, Page 44392 of Klamath County Record of Deeds, said parcel being that portion of said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of said center line of the relocated The Dalles – California Highway, which center line is described in Parcel 1.

The widths in feet of the strip of land above referred to are as follows:

Station	to	Station	Width on Westerly Side of Center Line
13+04.23		17+60.00	100.00 in a straight line to 121.00

EXCEPT therefrom that portion lying within Parcel 1.

This parcel of land contains 4,246 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED Nov 12 2020 3:12 PM

OREGON
MAY 10, 2011
ROBERT A. CHURCHILL
77636

RENEWS: 12-31-2021