

## WARRANTY DEED

318855

KNOW ALL MEN BY THESE PRESENTS, That James C. Southern and Norma J. Southern, husband and wife, hereinafter called "Grantor", for the consideration of the sum of Eight Hundred Eighty and No/100 Dollars (\$880.00) to Grantor paid, has bargained and sold and by these presents does bargain, sell and convey unto the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "Grantee", the following described premises, to wit:

## PARCEL 1

A parcel of land lying in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 9, Township 1 North, Range 34 East, W.M., Umatilla County, Oregon; the said parcel being that portion of said NE $\frac{1}{4}$ NW $\frac{1}{4}$  lying Southerly of that property described in that deed to the State of Oregon, by and through its State Highway Commission, recorded in Book 215, Page 41 of Umatilla County Record of Deeds and included in a strip of land variable in width, lying on the Southerly side of the center line of the Eastbound lane of the Old Oregon Trail Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station "EB" 917+32.49, said station being 991.66 feet North and 262.76 feet West of the West quarter corner of said Section 9; thence on a spiral curve left (the long chord of which bears North 52° 47' 19" East) 400 feet; thence North 52° 15' 19" East 52.98 feet; thence on a spiral curve right (the long chord of which bears North 52° 40' ~~19"~~ East) 250 feet; thence on a 5729.58 foot radius curve right (the long chord of which bears North 63° 35' 40.5" East) 2017.86 feet; thence on a spiral curve right (the long chord of which bears North 74° 31' 02" East) 250 feet; thence North 74° 56' 02" East 796.67 feet to Engineer's center line Station "EB" 955+00.

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

Station	to	Station	Width on Southerly Side of Center Line
"EB"933+50		"EB"936+00	125 in a straight line to 170
"EB"936+00		"EB"944+53.33	170 in a straight line to 150
"EB"944+53.33		"EB"947+03.33	150 in a straight line to 180
"EB"947+03.33		"EB"949+00	180 taper to 135
"EB"949+00		"EB"955+00	135

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 1.7 acres, more or less.

## PARCEL 2

A parcel of land lying in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 9, Township 1 North, Range 34 East, W.M., Umatilla County, Oregon; the said parcel being that portion of said NE $\frac{1}{4}$ NW $\frac{1}{4}$  lying Northerly of that property described in that deed to the State of Oregon, by and through its State Highway Commission, recorded in Book 215, Page 41 of Umatilla County Record of Deeds and included in a strip of land variable in width, lying on the Northerly side of the center line of the Westbound lane of the Old Oregon Trail Highway as said highway has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station "WB" 917+44.97, said station being 235.50 feet South and 261.14 feet West of the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 9; thence North 53° 16' East 270.99 feet; thence on a spiral curve right (the long chord of which bears North 53° 56' East) 400 feet; thence on a 5729.58 foot radius curve right (the long chord of which bears North 64° 06' 01" East) 1766.72 feet; thence on a spiral curve right (the long chord of which bears North 74° 16' 02" East) 400 feet to Engineer's center line Station "WB" 945+82.68 Back equals "WB" 945+81.23 Ahead; thence North 74° 56' 02" East 618.77 feet to Engineer's

NOTE: This deed is being re-recorded to correct the bearing in Line 5 of paragraph 2 of the description for parcel 1 from 52° 40' 119" to 52° 40' 19".

center line Station "WB" 952+00.

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

Station	to Station	Width on Northerly Side of Center Line
"WB"930+00	"WB"941+82.68	115
"WB"941+82.68	"WB"945+82.68 Bk= "WB"945+81.23 Ah	115 in a straight line to 135
"WB"945+82.68 Bk= "WB"945+81.23 Ah	"WB"952+00	135

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 1.0 acre, more or less.

PARCEL 3

A parcel of land lying in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 9, Township 1 North, Range 34 East, W.M., Umatilla County, Oregon; the said parcel being that portion of said NE $\frac{1}{4}$ NW $\frac{1}{4}$  included in a strip of land variable in width, lying on each side of the center line of a frontage road, which center line is described as follows:

Beginning at Engineer's center line Station "AS" 917+55.18, said station being 290.65 feet South and 56.74 feet West of the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 9; thence North 10° 34' 30" East 550.67 feet; thence on a 190.99 foot radius curve right (the long chord of which bears North 53° 42' East) 287.50 feet; thence South 83° 10' 30" East 10.88 feet; thence on a 143.24 foot radius curve left (the long chord of which bears North 62° 55' 45" East) 169.48 feet; thence North 29° 02' East 21.82 feet; thence on a 190.99 foot radius curve right (the long chord of which bears North 59° 07' East) 200.56 feet; thence North 89° 12' East 3.75 feet; thence on a 358.10 foot radius curve left (the long chord of which bears North 63° 43' 30" East) 318.44 feet; thence North 38° 15' East 53.28 feet; thence on a 102.31 foot radius curve right (the long chord of which bears South 77° 50' East) 228.27 feet; thence South 13° 55' East 179 feet; thence on a 358.10 foot radius curve left (the long chord of which bears South 56° 19' East) 530 feet to Engineer's center line Station "AS" 943+08.83.

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

Station	to Station	Width on Northerly Side of Center Line	Width on Southerly Side of Center Line
"AS"918+00	"AS"921+00	35	35
"AS"921+00	"AS"922+00	35	35 taper to 60
"AS"922+00	"AS"923+40	35 in a straight line to 60	60 in a straight line to 40
"AS"923+40	"AS"924+20	60 in a straight line to 40	40 in a straight line to 30
"AS"924+20	"AS"937+00	40	30
"AS"937+00	"AS"937+78.83	40 taper to 30	30 taper to 35
"AS"937+78.83	"AS"942+00	30	35

EXCEPT therefrom Parcel 1.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 3.3 acres, more or less.

PARCEL 4

A parcel of land lying in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 9, Township 1 North, Range 34 East, W.M., Umatilla County, Oregon; the said parcel being that portion of said NE $\frac{1}{4}$ NW $\frac{1}{4}$  lying Northerly of the following described line:

Beginning at a point which is opposite and 115 feet Northerly of Engineer's Station "WB" 935+00 on the center line of the Westbound lane of the relocated

Old Oregon Trail Highway; thence Easterly parallel to said center line to a point opposite and 115 feet Northerly of Engineer's Station "WB" 941+82.68 on said center line; thence Northeasterly in a straight line to a point which is opposite and 135 feet Northerly of Engineer's Station "WB" 945+82.68 Back equals "WB" 945+81.23 Ahead; thence Easterly parallel to said center line to a point opposite Engineer's Station "WB" 952+00 on said center line, which center line is described as follows:

Beginning at Engineer's center line Station "WB" 917+44.97, said station being 235.50 feet South and 261.14 feet West of the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 9; thence North 53° 16' East 270.99 feet; thence on a spiral curve right (the long chord of which bears North 53° 56' East) 400 feet; thence on a 5729.58 foot radius curve right (the long chord of which bears North 64° 06' 01" East) 1766.72 feet; thence on a spiral curve right (the long chord of which bears North 74° 16' 02" East) 400 feet to Engineer's center line Station "WB" 945+82.68 Back equals "WB" 945+81.23 Ahead; thence North 74° 56' 02" East 618.77 feet to Engineer's center line Station "WB" 952+00.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 8.5 acres, more or less, outside of the existing right of way.

#### PARCEL 5

A parcel of land lying in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 9, Township 1 North, Range 34 East, W.M., Umatilla County, Oregon; the said parcel being that portion of said NE $\frac{1}{4}$ NW $\frac{1}{4}$  lying Southerly of Parcel 1; Northerly of Parcel 3 and Westerly of a line at right angles to the center line of the Eastbound lane of the relocated Old Oregon Trail Highway at Engineer's Station "EB" 946+00, which center line is described in Parcel 1.

The parcel of land to which this description applies contains 1.5 acres.

As a part of the consideration hereinabove stated, there is also bargained, sold, conveyed and relinquished to Grantee all existing, future or potential common law or statutory abutter's easements of access between the right of way of the public way identified as the relocated Old Oregon Trail Highway and all of Grantor's remaining real property.

Grantee shall construct a public frontage road over and across the property above described as Parcel 3 and Grantor, his heirs and assigns, shall be entitled to reasonable access to the said road for any purpose, upon application filed with Grantee pursuant to applicable statutes and regulations. Said road shall be connected to such public ways and at such places as Grantee may select.

TO HAVE AND TO HOLD the said premises with their appurtenances, in fee simple, unto Grantee, its successors and assigns forever.

And said Grantor does hereby covenant to and with Grantee, its successors and assigns, that he is the owner in fee simple of said premises; that they are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

It is expressly intended that the covenants, burdens, restrictions and reservations contained herein shall run with the land and shall forever bind Grantor, his heirs and assigns.

In construing this instrument, whenever the context so requires, the masculine gender includes the feminine and neuter and the singular includes the plural.

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal this 12 day of MARCH, 1969.

James C. Southern (SEAL)  
Norma J. Southern (SEAL)

STATE OF OREGON

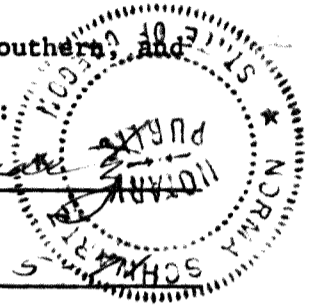
County of Umatilla

March 12, 1969

Personally appeared the above named James C. Southern and Norma J. Southern, and acknowledged the foregoing instrument to be his voluntary act. Before me:

Norma Schuster  
Notary Public for Oregon

My Commission expires 9-5



ba/tl

Filed for record APR - 1. 1970 at 3:15 P. M.  
JACK FOLSOM Recorder of Conveyances