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Vol. 1465, p. 773 File No. 35928

INDENTURE OF ACCESS

THIS INDENTURE, made and executed this *13th* day of *July*, 1965, by and between the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "State", and MARIE C. ANDRIEU, a widow, hereinafter called "Owner";

WHEREAS, State acquired from Owner, by deed executed on April 15, 1964 and recorded in Book of Deeds for Klamath County in Volume 352 at page 443, certain lands lying in Tracts No. 5 and 6, Glenger's Home Tracts in Klamath Falls; and

WHEREAS, as a part of the consideration for said deed, Owner conveyed to State all of her abutter's easements of access from her remaining abutting lands to the right of way of the K.I.D. Canal-Madison Street Section of the relocated Klamath Falls-Lakeview Highway, Primary State Highway No. 20, except that there was reserved for service of said abutting lands a right of access not material hereto and at a point opposite Highway Engineer's Centerline Station 96+82 on the Southerly side of said highway of a width of 40 feet and unrestricted as to use; and

WHEREAS, Owner has requested that the aforementioned right of access on the southerly side of said highway opposite Highway Engineer's Centerline Station 96+82 be cancelled and in lieu thereof there be substituted a right of access at a point opposite Highway Engineer's Centerline Station 96+90.78 on the southerly side of said highway of a width of 50 feet and unrestricted as to use; and

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WHEREAS, State is willing to grant Owner's request.

NOW, THEREFORE, this Indenture witnesseth that for and in consideration of the grant hereinafter made by State, Owner does hereby sell, relinquish and transfer unto State, her easement of access to, from and between her abutting property and the right of way of the relocated Klamath Falls-Lakeview Highway, K.I.D. Canal-Madison Street Section, at a point opposite Highway Engineer's Centerline Station 96+82. In consideration of the relinquishment and conveyance by Owner of her right of access as hereinabove set out, State does hereby grant and convey unto Owner, her heirs and assigns, easements of access and rights of ingress, egress and regress to, from and between the right of way of the relocated Klamath Falls-Lakeview Highway and Owner's property abutting on the southerly side thereof at a point opposite Highway Engineer's Centerline Station 96+90.78, of a width of 50 feet and unrestricted as to use.

Except as herein modified, the deed of April 15, 1964, shall remain in full force and effect and the right of access herein granted shall be subject to all the provisions of said deed as fully as if set forth herein.

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IN WITNESS WHEREOF, the parties hereto have executed these
presents the day and year first above written.

APPROVED:

[Signature]
Deputy ~~Assistant~~ State Highway Engineer

STATE OF OREGON, by and through
its State Highway Commission

[Signature]
Chairman

APPROVED AS TO FORM:

[Signature]
Chief Counsel
Acting Asst.

By [Signature]
Commissioner

[Signature]
Staff Attorney

By [Signature]
Commissioner

ATTEST:

[Signature]
Secretary

STATE

[Signature]
Marie C. Andrieu

OWNER

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STATE OF OREGON

County of Marion }

ss

On this 13th day of July, 1965, before me appeared GLENN L. JACKSON, KENNETH N. FRIDLEY, and DAVID B. SIMPSON, to me personally known, who each being duly sworn, did say that he, the said Glenn L. Jackson, is Chairman of the State Highway Commission of the State of Oregon, and that he, the said Kenneth N. Fridley, and he, the said David B. Simpson, is State Highway Commissioner of the State of Oregon; that the seal affixed to said instrument is the seal of the State Highway Commission and that the said instrument is signed and sealed in behalf of said State by said Commission, and that the said Chairman and the said Commissioners acknowledge said instrument to be the free act and deed of said State, by said State Highway Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Cecil H. Head
Notary Public for Oregon

My commission expires: Nov. 5, 1966

STATE OF OREGON

County of KLAMATH }

ss

On this 3rd day of August, 1965, personally came before me, a notary public in and for said county and state, the within named _____

MARIE C. ANDRIEU, a single person, to me personally known to be the identical person described in, and who executed the within instrument, and who personally acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and official seal the day and year last above written.

Alameda E. Giacomini
Notary Public for Oregon Aug. 5, 1966

My commission expires: _____

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Oregon State Highway Comm. _____

this 11 day of August, A.D. 1965, at 11:45 o'clock A.M., and
duly recorded in Vol. W-65, of Books _____ on Page 173

Fee \$6.00 Collect

DOROTHY ROGERS, County Clerk

By Jan. H. H. H.

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