

Mortgage

TO
UNITED STATES NATIONAL BANK
OF OREGON

STATE OF OREGON,
County of Klamath

I certify that the within instrument was
received for record on the 20
day of November 1967
at 11:30 o'clock A.M. and recorded
in Book 18-61 on page 8931. Record
of Mortgages of said County.

Witness my hand and seal of County affixed.
Dorothy Rogers
County Clerk (Ex-officio)

Fee 6.00
Dorothy Rogers

AFTER RECORDING RETURN TO:
UNITED STATES NATIONAL BANK
OF OREGON

BRANCH
UNITED STATES NATIONAL BANK OF OREGON
P. O. BOX 377 ADDRESS
CHILLOQUIN, OREGON 97622
for the attention of:

8937

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OREGON,
County of _____ ss.

THIS CERTIFIES that on this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the said county and state, personally appeared the within named who _____ known to me to be the identical person described in and who executed the within instrument and acknowledged to me that _____ executed the same freely and voluntarily for the purposes and uses therein mentioned.

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

My commission expires _____ Notary Public in and for said County and State.

PARTNERSHIP ACKNOWLEDGMENT

STATE OF OREGON,
County of _____ ss.

THIS CERTIFIES that on this _____ day of _____, 19____, personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named _____ known to me to be the person named in and who executed the foregoing instrument and who _____ known to me to be member _____ of the partnership of _____ and acknowledged to me that _____ executed said instrument freely and voluntarily for the purposes and use therein mentioned, on behalf of said partnership.

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

My commission expires _____ Notary Public in and for said County and State.

CORPORATE ACKNOWLEDGMENT

STATE OF OREGON,
County of _____ ss.

THIS CERTIFIES that on this _____ day of _____, 19____, before me, the undersigned, a notary public in and for said county and state, personally appeared _____ and _____ both to me personally known, who, being duly sworn, did say that he, the said _____ is the president, and he, the said _____ is the secretary of _____ the within named corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that the said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said _____ and _____ acknowledged said instrument to be the free act and deed of said corporation.

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

My commission expires _____ Notary Public in and for said County and State.

18335

JNH:jr
11-14-63

VOL. 18-67 PAGE 8938

File No. 17940

INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 30th day of January, 1964, by and between the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "State", and EDGAR N. ROBERTS and DALORES ROBERTS, husband and wife, hereinafter called "Owners";

WHEREAS, State acquired from the then owner, the late George C. Snodgrass, by deed executed on February 26, 1952, and recorded in Book of Deeds Volume 253, page 292, for Klamath County, Oregon, certain lands lying in the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 17, Township 24 South, Range 9 East, Willamette Meridian, Klamath County, Oregon; and

WHEREAS, as a part of the consideration for said deed, owner conveyed to State all of his abutter's easements of access from his remaining abutting lands to the relocated The Dalles-California Highway, State Primary Highway No. 4, Deschutes County Line-Gilchrist Section, except that there was reserved for service of said abutting land a right of access at a point opposite Highway Engineer's Centerline Station 1471+66 on the westerly side of said highway, of a width of 25 feet and restricted to ordinary residential purposes only. Said right of access was granted subject to the right of State to construct at any future time a frontage road or roads within the present or hereafter acquired right of way, whereupon all rights of direct access reserved to and from said public way that

7

8939

JNH:jr
11-14-63

are on or adjacent to any such frontage road or roads, shall cease, but owner, his heirs and assigns, shall have access to the frontage road or roads for any lawful purpose; and

WHEREAS, Owners, by Warranty Deed executed on June 18, 1962, and recorded in Book of Deeds Volume 338, page 398, for Klamath County, Oregon, became the fee Owners of said remaining abutting property of State's grantor; and

WHEREAS, Owners have requested that the aforementioned right of access on the westerly side of said highway, at a point opposite Highway Engineer's Centerline Station 1471+66 be modified as to width, which shall hereafter be 50 feet, subject to the same restriction for ordinary residential use only; and

WHEREAS, State is willing to grant Owners' request.

NOW, THEREFORE, this Indenture witnesseth that for and in consideration of the grant hereinafter made by State, Owners do hereby sell, relinquish and transfer unto State, their easement of access to, from and between their abutting property and the right of way of the relocated The Dalles-California Highway, Deschutes County Line-Gilchrist Section, on the westerly side thereof, at a point opposite Highway Engineer's Centerline Station 1471+66. In consideration of the relinquishment and conveyance by Owners of their right of access as hereinabove set out, State does hereby grant and convey unto Owners, their heirs and assigns, an easement of access and rights of ingress, egress and regress to, from and between the right of way of the relocated The Dalles-California

8940

JNH:jr
11-14-63

Highway and Owners' property abutting on the westerly side thereof, at a point opposite Highway Engineer's Centerline Station 1471+66, of a width of 50 feet and restricted to use for ordinary residential purposes only; PROVIDED, HOWEVER, State reserves the right to construct or otherwise provide at any future time a public frontage road or roads, whereupon all rights of direct access herein granted to and from said highway that are on or adjacent to any such frontage road or roads, shall cease, but Owners, their heirs and assigns, shall have access to the frontage road or roads for any lawful purpose.

Except as herein modified, the deed of February 26, 1952, 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.

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

APPROVED:

[Signature]
Assistant State Highway Engineer

APPROVED AS TO FORM:

[Signature]
Chief Counsel

[Signature]
Staff Attorney

ATTEST:

Floyd Query
Secretary

STATE OF OREGON, by and through
its State Highway Commission

By [Signature]
Chairman

By [Signature]
Commissioner

By _____
Commissioner
STATE

[Signature]
Edgar N. Roberts

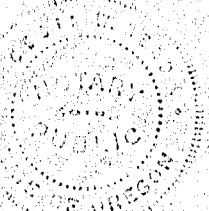
[Signature]
Dolores Roberts
Dolores Roberts
OWNERS

STATE OF OREGON

County of Marion } ss

On this 30th day of January, 1964, 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 Commissioner 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. Heath
Notary Public for Oregon
My commission expires: 11-5-66

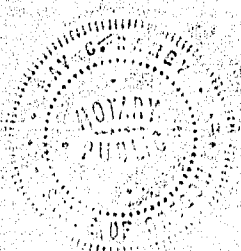
STATE OF OREGON

County of Lane } ss

On this 7 day of January, 1964, personally came before me, a notary public in and for said county and state, the within named

Edgar R. Roberts and Salome Roberts, husband and wife, to me personally known to be the identical persons described in, and who executed the within instrument, and who each personally acknowledged to me that they 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.



Ray C. Ramsey
Notary Public for Oregon
My commission expires: Oct. 23, 1965

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Babcock & Ackerman 10
this 20 day of November A.D. 19 67 at 11:40 o'clock A.M., and
duly recorded in Vol. M-67, of Deeds on Page 8938
Fee 6.00 DOROTHY ROGERS, County Clerk

Marie Hale