

APV: on
4-18-72

65301

RELEASE AND DEED

File 1070

ORIGINAL

Vol. 71 Page 7369

WHEREAS, by deed recorded February 16, 1934, in Volume 102, Page 362, Klamath County Deed Records, STATE OF OREGON, by and through its STATE HIGHWAY COMMISSION, hereinafter called "State", acquired from BEN and HATTIE H. GAY a ten-acre site to be used as a material source.

WHEREAS, Hattie H. Gay, hereinafter referred to as "Gay", has made a claim that State or its contractors have in the past, entered upon, removed material from and deposited boulders and concrete blocks on her property which adjoins said 10-acre site.

WHEREAS, State has declared said 10-acre site as surplus property since it is no longer required as a material source or for other state highway, scenic or park use.

WHEREAS, for the purpose of settling the controversy which has arisen over Gay's claim, State has agreed to reconvey said 10-acre site to Gay for a full release of her claim.

NOW THEREFORE, in consideration of the conveyance herein made by State, GAY releases State, its officers, agents, employees and contractors from any and all damages to her property resulting from said entry, the removal of material and disposition of boulders, concrete blocks and other material thereon, it being the intent of Gay by the foregoing to terminate all past and present claims for damages of whatsoever nature connected with the claim which has been made by Gay. Gay covenants that she is the legal owner of all the property which surrounds said 10-acre site and has a valid right to execute the foregoing release.

STATE in consideration of the release herein made does hereby convey unto Gay, her heirs and assigns, the following described property, to wit:

A parcel of land lying in the NW $\frac{1}{4}$ of Section 34, Township 40 South, Range 8 East, W.M., Klamath County, Oregon and being that property described in that deed to the State of Oregon, recorded in Book 102, Page 362 of Klamath County Record of Deeds.

The parcel of land to which this description applies contains 10.0 acres.

Dated this 2nd day of May, 1972.

Hattie H. Gay
Hattie H. Gay

ATTEST:

Floyd Queney
Secretary

APPROVED:

Tom E. Curran
Deputy State Highway Engineer

APPROVED BY TO FORM:

Charles
Chief Counsel

STATE OF OREGON, by and through its
STATE HIGHWAY COMMISSION

By Glenn L. Jackson
Chairman

By Richard W. Hef
Commissioner

By Richard B. Brown
Commissioner

JUL 7 10 00 AM 1972

7370

STATE OF OREGON, County of KLAMATH

May 2, 1972. Personally appeared the above named Hattie H. Gay,
who acknowledged the foregoing instrument to be her voluntary act. Before me:

Selen M. Ford
Notary Public for Oregon

My Commission expires Jan. 28, 1974

STATE OF OREGON, County of Marion

On this 27th day of June, 1972, before me personally appeared
Glenn L. Jackson, Chairman of the Oregon State Highway Commission, Fred W. Hill and
Thaddeus B. Bruno, Oregon State Highway Commissioners, who each being duly sworn, stated
that this instrument was voluntarily signed and sealed on behalf of the State of Oregon
by said Commission.

Cecil H. Head
Notary Public for Oregon

My Commission expires 11-5-74

tk/r

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of OREGON STATE HIGHWAY COMM

this 7th day of July A. D. 1972 at 10:08 o'clock A.M., and
duly recorded in Vol. M 72, of DEEDS on Page 7369

FEE \$4.00

Wm D. MILNE, County Clerk
By Hazel Drayton