

AJV: on
4-21-72

76802

File 15958

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Page 13695

INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 4th day of May, 1972,
by and between the STATE OF OREGON, by and through its STATE HIGHWAY COMMISSION, herein-
after called "State", and ELBERT W. and WYOMING STILES, hereinafter called "Owners";

WHEREAS, State by deed recorded September 11, 1952, in Book 256, at Page 559, Deed Records of Klamath County, Oregon, acquired from W. D. and Lottie M. Miller, husband and wife, certain property situated in Government Lot 3, Section 33, Township 38 South, Range 9 East, W.M., Klamath County, Oregon, which deed reserved for the service of the grantors' remaining property access rights to the Southerly side of the relocated Klamath Falls - Lakeview Highway opposite Engineer's Stations 48+50 and 50+35; and

WHEREAS, Owners by deed recorded in Volume M68, at Page 8265-67, Deed Records of Klamath County, acquired the fee title to that portion of said remaining property affected by the access changes herein made.

WHEREAS, Owners now have requested that said access rights opposite Engineer's Stations 48+50 and 50+35 be terminated and that there be substituted therefor access rights to the Southerly side of said highway opposite Engineer's Station 49+58; and

WHEREAS, State is agreeable to the granting of Owners' request.

NOW THEREFORE, THIS INDENTURE WITNESSETH, that for and in consideration of the grant hereinafter made by State, OWNERS do hereby transfer and relinquish unto State, its successors and assigns, their access rights to and from the Southerly side of the relocated Klamath Falls - Lakeview Highway opposite said Stations 48+50 and 50+35 which were reserved in the above mentioned deed. Owners further represent and warrant that no one, other than Owners, is using or entitled to use the access rights herein relinquished. STATE, in consideration of the relinquishment and warranties herein made by Owners, does hereby grant and convey unto Owners, their heirs and assigns, access rights to and from the Southerly side of said highway, opposite said Station 49+58, ~~XXXXXX~~
and unrestricted as to use. The approach to highway at said location shall be constructed as, and limited to, the widths as shown on Exhibit "A" attached hereto.

APPROVED BY HIGHWAY COMMISSION ^C
DATE *April 4, 1972* minutes page *36-38-2*
..... *Edith B. Jones* Secretary

VA Form 26-4325 c (R)
July 1964. Use Option
II, R.C.

FORM No. 1

3696

Except as modified herein said deed recorded September 11, 1952, shall remain in full force and effect and the rights of access herein granted shall be subject to all the provisions of said deed, including the frontage road provision thereof, as fully as if set forth herein.

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

Elbert W. Stiles
Elbert W. Stiles
Wyoming Stiles
Wyoming Stiles

ATTEST:

Floyd L. New
Secretary

APPROVED:

E. J. Hunt
Assistant State Highway Engineer

APPROVED AS TO FORM:

Charles
Chief Counsel

STATE OF OREGON, by and through its
STATE HIGHWAY COMMISSION

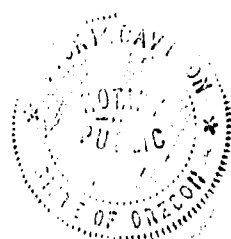
Sam Jackson
By Chairman

Frederick H. Hill
By Commissioner

Frederick H. Hill
By Commissioner

STATE OF Oregon, County of Klamath

May 4, 1972. Personally appeared the above named Elbert W. Stiles, who acknowledged the foregoing instrument to be his voluntary act. Before me:



Vicki Dawson
Notary Public for State of Oregon
My Commission expires 10-21-75

76532
VA Form 26-4335 c (Rev. 7-1-64) Use Optional FORM No. 22

13697

STATE OF OREGON, County of Clatsop
May 4, 1972. Personally appeared the above named Wyoming Stiles, who
acknowledged the foregoing instrument to be his voluntary act. Before me:

Vicki Dawson
Notary Public for Oregon

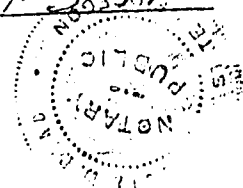
My Commission expires 10-21-75

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 Head
Notary Public for Oregon

My Commission expires 11-5-74

ba/ka



26382
VA Form 24-4135 c (34)
July 1964 Use Optional
Form No. 75

REVISED: 1/14/72

DECELERATION LANE

13698

ACCESS STREET & PARKING AREA

FOR
STILES ENTERPRISES, INC.

KLAMATH FALLS, OREGON

SCALE: As Noted	DATE: 3-15-72	SHEET 1 OF 3
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DESIGNED: <i>W. I. Wales Jr.</i>	WILLIAM I. WALES JR.	JOB NO.
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WILLIAM E. WALLS JR.
CONSULTING ENGINEER

KLAMATH FALLS, OREGON

TH 6TH ST

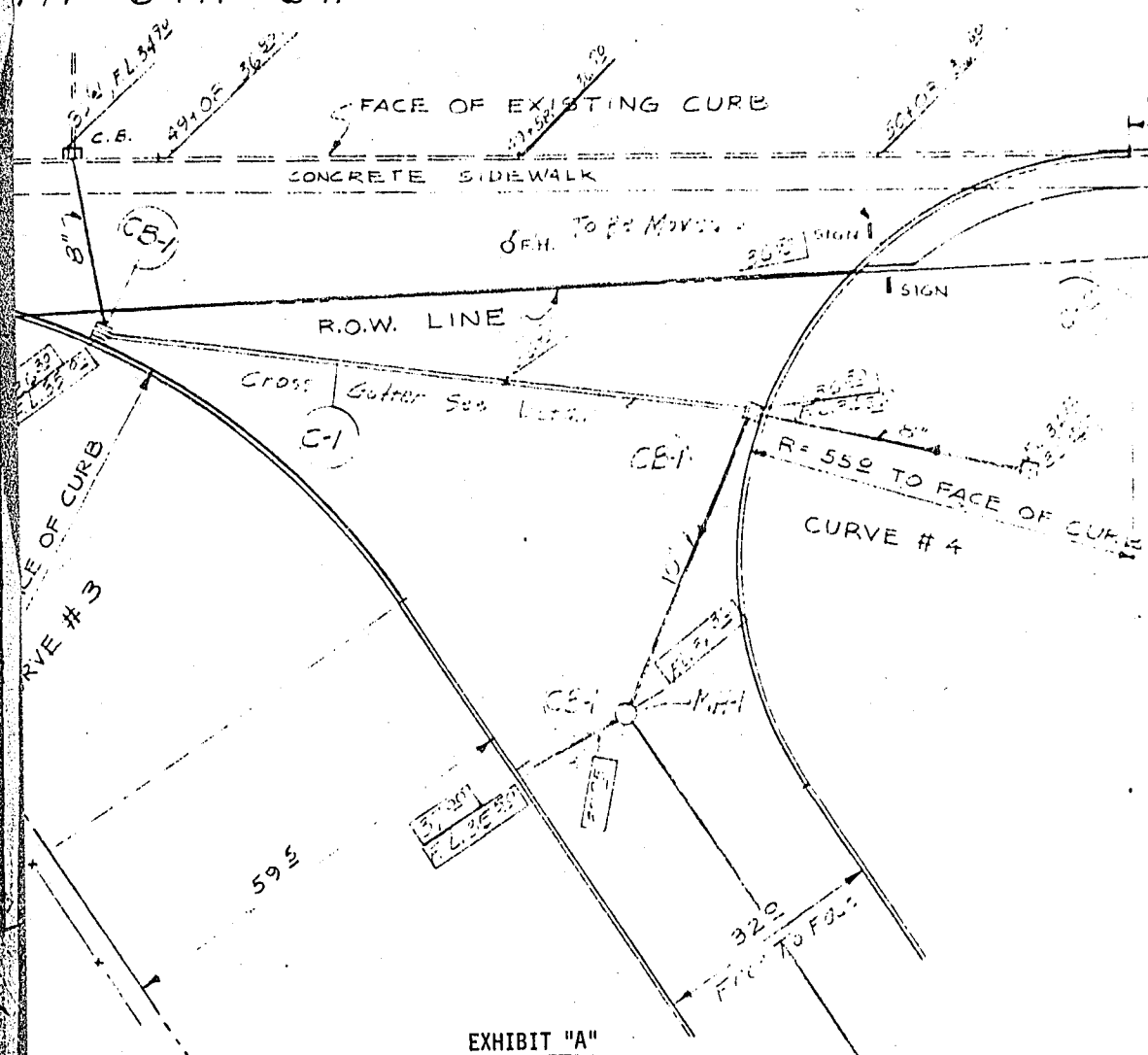


EXHIBIT "A"

STATE OF OREGON; COUNTY OF KLAMATH; ss.
 Filed for record at request of STATE HWY COMM STATE OF OREGON R/W SECTION
 this 29th day of November A. D., 1972 at 10:49 o'clock AM., and duly recorded in
 Vol. M 72, of DEEDS on Page 13695
 FEE \$ 8.00
 WM. D. MILNE, County Clerk