

ORIGINAL

File 45002

74212

INDENTURE OF ACCESS

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THIS INDENTURE, made and executed this 6th day of March, 1973, by and between the STATE OF OREGON, by and through its STATE HIGHWAY COMMISSION, hereinafter called "State", and LOUIS V. and EDNA MARGARETTA SCHWEIGER, hereinafter called "Owners";

WHEREAS, State, by deed recorded February 15, 1972, in Book M72, at Page 1639, Deed Records of Klamath County, Oregon acquired certain property lying in Lots 8, 9 and 10, Highland Park, Klamath County, which deed in part, reserved unto Owners access rights to the Northeasterly side of the relocated Klamath Falls - Lakeview Highway opposite Engineer's Station 186+73; and

WHEREAS, by mutual agreement between the parties hereto the access approach on the Northeasterly side of said highway was constructed opposite Engineer's Station 186+88 instead of opposite Station 186+73 as reserved in said deed; and

WHEREAS, it is now desired by the parties hereto to show in the public records the correct location of the access as constructed and allowed by State.

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 Northeasterly side of the relocated Klamath Falls - Lakeview Highway opposite said Station 186+73 reserved in the above mentioned deed; and STATE, in consideration of the relinquishment herein made by Owners, does hereby grant and convey unto Owners, their heirs and assigns, access rights to and from the Northeasterly side of said highway opposite said Station 186+88 in a width of 35 feet and unrestricted as to use.

Except as modified herein, said deed recorded February 15, 1972, 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 provisions thereof, 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.

Louis V. Schweiger
Louis V. Schweiger

Edna Margaretta Schweiger
Edna Margaretta Schweiger

ATTEST:

C. H. Head
Secretary

APPROVED:
E. J. Hunter
Assistant State Highway Engineer

APPROVED AS TO FORM:
H. Dudas
Counsel

STATE OF OREGON, by and through its
STATE HIGHWAY COMMISSION

By Glenn L. Jackson
Chairman

By Fred W. Hill
Commissioner

By Thaddeus B. Bruno
Commissioner

STATE OF OREGON, County of Blamatt

January 23, 1973. Personally appeared the above named Louis V. Schweiger and Edna Margaretta Schweiger, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Joseph Stupp
Notary Public for Oregon
My Commission expires July 9, 1975

STATE OF OREGON, County of Marion

On this 16th day of March, 1973, 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

1-10-73

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of STATE HIGHWAY COMM
this 15th day of MARCH A. D., 1973 at 10:45 o'clock A M., and duly recorded in
Vol. M 73 of REEDS on Page 2715

FEE \$ 6.00

WM. D. MILNE, County Clerk
By W. D. Milne