

ORIGINAL

File 44986, L-6616

74213

INDENTURE OF ACCESS

Vol. ^{2W} 73 Page 2717

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 JAMES E. and WILDA L. CHANEY, hereinafter called "Owners";

WHEREAS, State by deed recorded July 5, 1972, in Book M72, at Page 7243, Deed Records of Klamath County, Oregon acquired certain property situated in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, which deed in part, reserved unto Owners access rights to and from the Southwesterly side of the relocated Klamath Falls - Lakeview Highway opposite Engineer's Station 153+95 in a width of 50 feet; and

WHEREAS, by mutual agreement between the parties hereto two access approaches on the Southwesterly side of said highway were constructed opposite Engineer's Stations 153+86 and 154+31 instead of opposite said Station 153+95; and

WHEREAS, it is now desired by the parties hereto to show in the public records the correct location of the accesses 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 Southwesterly side of the relocated Klamath Falls - Lakeview Highway opposite said Station 153+95 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 Southwesterly side of said highway opposite said Stations 153+86 and 154+31 in widths of 35 feet and unrestricted as to use.

Except as modified herein, said deed recorded July 5, 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 and suspension provisions thereof, as fully as if set forth herein.

2718

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

James E. Chaney
James E. Chaney
Wilda L. Chaney
Wilda L. Chaney

ATTEST:

C. H. Heed
Secretary

APPROVED:

E. Schmitt
Assistant State Highway Engineer

APPROVED AS TO FORM:

Charles
Counsel

STATE OF OREGON, by and through its
STATE HIGHWAY COMMISSION

By Alvin Jackson
Chairman

By Tred H. Ship
Commissioner

By Thaddeus Sprunt
Commissioner

STATE OF OREGON, County of Klamath

Jan 23, 1973. Personally appeared the above named James E. Chaney and Wilda L. Chaney, who acknowledged the foregoing instrument to be their voluntary act.

me:

Joseph Stappell
Notary Public for Oregon

My Commission expires July 9, 1975



2719

STATE OF OREGON, County of Marion

On this 6th 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. Heed
Notary Public for Oregon

My Commission expires 11-5-74

1-10-73

ka/ia
[Signature]



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 DEEDS on Page 2711

Fee \$ 4.00

WM. D. MILNE, County Clerk
By Hazel [Signature]