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73 page 2783
File 45001

INDENTURE OF ACCESS

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, herein-after called "State", and ANDREW L. and INEZ B. GORDON, hereinafter called "Owners";

WHEREAS, State, by deed recorded July 23, 1971, in Book M71, at Page 7705, Deed Records of Klamath County, Oregon acquired certain property situated in Lots 6, 7 and 8, Highland Park, Klamath County, which deed in part, reserved unto Owners access rights to and from the Northeasterly side of the relocated Klamath Falls - Lakeview Highway opposite Engineer's Station 184+85; 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 184+42 instead of opposite Station 184+85 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 184+85 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 184+42 in a width of 35 feet and unrestricted as to use.

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.

Andrew L. Gordon
Andrew L. Gordon

Inez B. Gordon
Inez B. Gordon

ATTEST:

Secretary

APPROVED:

Assistant State Highway Engineer

APPROVED AS TO FORM:

Counsel

STATE OF OREGON, by and through its
STATE HIGHWAY COMMISSIONBy Glenn Jackson
ChairmanBy Thaddeus B. Bruno
CommissionerBy Thaddeus B. Bruno
CommissionerSTATE OF OREGON, County of Klamath

January 25, 1973. Personally appeared the above named Andrew L. Gordon and Inez B. Gordon, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Joseph Stapfel
Notary Public for Oregon

My Commission expires July 9, 1975STATE 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. Head
Notary Public for Oregon

My Commission expires 11-5-74

1-12-73

baj

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Oregon State Highway Commissionthis 16th day of March A. D., 1973 at 10:58 o'clock A.M., and duly recorded inVol. M 73 of DEEDS on Page 2783

FEE \$ 11.00

WM. D. MILNE, County Clerk
By Hazel Drayton