

1370

Highway Division
File 44981

INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 19th day of May, 1975,
by and between the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway
Division, hereinafter called "State", and TED W. and DARLENE L. DRESS, hereinafter called
"Owners";

WHEREAS, State, by deed recorded January 11, 1972, in Book M72, at Page 342, Deed
Records of Klamath County, 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
for the service of the remaining property access rights to and from the Southerly
side of the relocated Klamath Falls - Lakeview Highway opposite Engineer's Stations
147+55 and 150+20, and

WHEREAS, the access approaches on the Southerly side of said highway were constructed
opposite Engineer's Stations 147+83 and 150+09 instead of opposite Stations 147+55 and
150+20 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 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 Southerly side of
the relocated Klamath Falls - Lakeview Highway opposite said Stations 147+55 and 150+20
reserved in the above mentioneed 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 Southerly side of said highway opposite said
Stations 147+83 and 150+09, in a width of 35 feet and unrestricted as to use.

Except as modified herein, said deed recorded January 11, 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.

RECEIVED JUN 4 1975
12:50 pm

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

Ted W. Dress
Ted W. Dress
Darlene L. Dress
Darlene L. Dress

APPROVED AS TO FORM:

Kelt Barrie
Counsel

STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION,
Highway Division

By F. B. Klaboe
F. B. Klaboe, Administrator and State
Highway Engineer

STATE OF OREGON, County of Deschutes

May 6, 1975. Personally appeared the above named Ted W. Dress and
Darlene L. Dress, who acknowledged the foregoing instrument to be their voluntary act.
Before me:

[Signature]
Notary Public for Oregon

My Commission expires 3-18-79

STATE OF OREGON, County of Marion

May 19, 1975. Personally appeared F. B. Klaboe, who being sworn, stated
that he is the Administrator and Highway Engineer for the State of Oregon, Department of
Transportation, Highway Division, and that this instrument was voluntarily signed on
behalf of the State of Oregon, by authority vested in him by the Oregon Transportation
Commission. Before me:

E. Ruth Keller
Notary Public for Oregon

My Commission expires Oct. 8, 1977

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of OREGON STATE HIGHWAY DIVISION RIGHT OF WAY SECTION
this 4th day of JUNE, 1975, at 10:00 o'clock P.M., and duly recorded in
Vol. M 75, of DEEDS on Page 6230.

FEE \$ 4.00

By WM. D. MILNE, County Clerk
Hazel Draz Deputy