

RETURN TO
OREGON STATE HIGHWAY DIVISION
RIGHT OF WAY SECTION
STATE HIGHWAY BLDG. ROOM 119
SALEM, OREGON 97310

Vol. M82 Page 10547 ORIGINAL
Highway Division
File 47861
9B-11-15

14587

INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 1st day of July, 1982,
by and between the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION,
Highway Division, hereinafter called "State", and the UNITED STATES OF AMERICA,
acting by and through the DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINIS-
TRATION, hereinafter called "Owner"; and

WHEREAS, State by Easement Deed recorded August 4, 1975, in Volume M-75, Page
9003, Klamath County Deed Records, acquired from Owner certain highway right of way
over Deschutes National Forest land situated in the NW $\frac{1}{4}$ of Section 3, Township 24
South, Range 9East, W.M., Klamath County, Oregon, which Easement Deed, in part, reserved
for the service of Owner's remaining property access rights to and from the
Easterly side of the relocated The Dalles-California Highway opposite Engineer's
Station 1324+25 and to and from the Westerly side of said highway opposite Engi-
neer's Station 1325+30; and

WHEREAS, the access approach on the Easterly side of said highway was con-
structed opposite Engineer's Station 1323+00 instead of opposite said Station
1324+25 and the access approach on the Westerly side of said highway was con-
structed opposite Engineer's Station 1323+50 instead of opposite said Station
1325+30; 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, OWNER does hereby transfer and relinquish
unto State, its successors and assigns, Owner's access rights to and from the
Easterly and Westerly sides of the relocated The Dalles-California Highway oppo-
site said Stations 1324+25 and 1325+30, respectively, reserved in the above-
mentioned easement deed; and STATE, in consideration of the relinquishment herein

made by Owner does hereby grant unto Owner, its successors and assigns, access rights to and from the Easterly side of said highway opposite said Station 1323+00 and to and from the Westerly side of said highway opposite said Station 1323+50, each in a width of 35 feet and unrestricted as to use.

Except as modified herein said easement deed recorded August 4, 1975, shall remain in full force and effect.

IN WITNESS WHEREOF, I Robert B. Rutledge Regional Counsel, pursuant to delegations of authority from the Secretary of Transportation, the Federal Highway Administration and the Chief Counsel, Federal Highway Administration, by virtue of authority in me vested by law, have hereunto subscribed my name as of the day and year first above written.

UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF TRANSPORTATION, Federal Highway Commission

By Robert B. Rutledge
Regional Counsel

APPROVED AS TO FORM:

James L. Lacey
Asst. Attorney General and Counsel

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

By J. B. Boyd
J. B. Boyd, Right of Way Manager
8/6/82

STATE OF OREGON)

COUNTY OF MULTNOMAH)

I, James F. Zoller, a Notary Public in and for the State of Oregon, do hereby certify that on this the 1st day of July, 1982, before me personally appeared Robert B. Rutledge, Regional Counsel of the Department of Transportation, Federal Highway Administration, and acknowledged that the foregoing instrument bearing date of 7/1, 1982, was executed by him in his official capacity and by authority in him vested by law, for the purposes and intents in said instrument described and set forth, and acknowledged the same to be his free act and deed as Regional Counsel, Department of Transportation, Federal Highway Administration.

Witness my hand and seal this 1st day of July, 1982.

JAMES F. ZOLLER

NOTARY PUBLIC — OREGON

MY COMMISSION EXPIRES 1/25/83

James F. Zoller
Notary Public

My Commission expires 1/25/83

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STATE OF OREGON, County of Marion
August 6, 1982. Personally appeared J. B. Boyd, who being sworn,
stated that he is the Right of Way Manager for the State of Oregon, Department of
Transportation, Highway Division, and that this document was voluntarily signed on
behalf of the State of Oregon by authority delegated to him. Before me:



Dora Folsom
Notary Public for Oregon

My Commission expires 6-17-83

STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record
his 16 day of August A. D. 1982 at 9:02 o'clock A M.
duly recorded in Vol. M 82, of Deeds on p. c. 10547
Fee \$12.00
By Joyce McQuinn County Clerk
EV LYN B. BROWN