

16404

INDENTURE OF ACCESS

Highway Division
File 18152
7B-8-13

ORIGINAL

13798

THIS INDENTURE, made and executed this 11th day of October, 1982, by and between the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, hereinafter called "State", and M. C. LANDRETH and PRUE F. LANDRETH, hereinafter called "Owners"; and

WHEREAS, State, by deed recorded December 28, 1951, in Volume 252, at Page 33, Klamath County Deed Records acquired from Ora F. Blay and others certain property situated in the SE $\frac{1}{4}$ of Section 36, Township 24 South, Range 8 East, Klamath County, Oregon, which deed, in part, reserved for service of said grantors' remaining property access rights to and from the Easterly side of The Dalles-California Highway opposite Engineer's Station 64+00 in a width of 25 feet and restricted as to use; and

WHEREAS, the access approach on the Easterly side of said highway was constructed opposite Engineer's Station 63+05 instead of opposite said Station 64+00; and

WHEREAS, Owners have since acquired fee title to that portion of said remaining property affected by access changes herein made; 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, Owners' access rights to and from the Easterly side of the relocated The Dalles-California Highway opposite said Station 64+00 as reserved in the above mentioned deed recorded December 28, 1951; and STATE, in consideration of the relinquishment herein made by Owners, does hereby grant to Owners, their heirs and assigns, access rights to and from the Easterly side of the relocated The Dalles-

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California Highway opposite Engineer's Station 63+05, in a width of 25 feet and restricted to the same uses as contained in said deed recorded December 28, 1951.

Except as modified herein and by indentures recorded on July 19, 1952, in Volume 255, at Page 669/Klamath County Deed Records, said deed recorded December 28, 1951, shall remain in full force and effect.

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

APPROVED AS TO
LEGAL SUFFICIENCY

James L. Sallis
Asst. Attorney General

Date 9-27-82

M. C. Landreth
M. C. Landreth

Prue F. Landreth
Prue F. Landreth

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

By Rod Henry
Rod Henry, Asst. Right-of-Way Manager

STATE OF OREGON, County of Lane

October 6, 1982. Personally appeared the above named M. C. Landreth and Prue F. Landreth, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Richard H. Beckel
Notary Public for Oregon

My Commission expires 3-8-85

STATE OF OREGON, County of Marion

Oct. 11, 1982. Personally appeared Rod Henry, 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:

E. Ruth Sallis
Notary Public for Oregon

My Commission expires Oct. 8, 1985



Rod Henry
State Henry 1382g #119
Salem Or 97310

STATE OF OREGON; COUNTY OF KLAMATH; ss.
I hereby certify that the within instrument was received and filed for record on the

18 day of Oct A.D., 1982 at 8:54 o'clock A M., and duly recorded in
Vol M 82, of Deeds on page 13798

Fee \$ 8.00

EVELYN EIEHN
COUNTY CLERK

By Joan McChie deputy