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

Vol. M80 Page 9047
Highway Division
File 55196
Map No. 9B-23-27

RELEASE

THIS RELEASE, made this 14th day of April, 1986, by
Lawrence S. Howard

"Owners", to the the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION,
Highway Division, hereinafter referred to as "State",

WHEREAS, Owners have made a claim that as result of the construction of the new
Klamath River Bridge on the Green Springs Highway additional drainage water was
diverted onto Owners' property which at times floods Owners' parking lot;

WHEREAS, Owners claim that as a result of said construction Owners' property has
also been damaged by a grade change, which property is described in that certain deed
to Lawrence S. Howard dated August 27, 1976, and recorded in Volume M83, Page 5437,
Klamath County Records.

WHEREAS, Owners have indicated to State that they are willing to accept the sum of
\$ 15,000.00 in full settlement of all claims which they may assert for past, present,
and future damage to their property from said diversion of drainage water onto Owners'
property and from said grade change resulting from the construction of new Klamath
River Bridge on the Green Springs Highway;

WHEREAS, State, for the purpose of concluding a settlement of Owners' claims, has
indicated a willingness to pay said sum, provided Owners give State a full release of
said claims and every other claim resulting from the construction of said Klamath
River Bridge, including, but not limited to the past, present, and future damage to
Owners' property resulting from the diversion of drainage water thereon and from said
grade change.

NOW, THEREFORE, for and in consideration of the sum of \$ 15,000.00 received,
Owners, for themselves, their heirs and assigns, do hereby forever release State, its
Transportation Commission, officers, agents, and employees from all past, present, and

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future claims and demands for damages to the Owners' property arising out of or resulting from the construction of said Klamath River Bridge, including, but not limited to the past, present, and future damage to Owners' property resulting from the diversion of drainage water thereon and from said grade change.

Owners recognize and agree that State, by payment of said \$ 15,000.00, is not admitting liability of any kind or nature on account of the matters set forth above. Owners further covenant that they are the present owners of all of the above-mentioned property, that all future conveyances or contracts for the sale of said property or portion thereof will make mention of this Release, that this Release is intended to terminate all controversy and/or claims arising from the construction of said Klamath River Bridge, and that Owners have a legal and valid right to execute this Release.

Dated this 14 day of April, 1986

Lawrence S Howard

STATE OF OREGON, County of Klamath

April 14, 1986. Personally appeared the above named Lawrence S. Howard voluntarily act. Before me: his

Earl Miller
Notary Public for Oregon

My Commission expires Dec. 30, 1996

STATE OF OREGON, County of _____

_____, 198____. Personally appeared the above named _____ voluntarily act. Before me: _____, who acknowledged the foregoing instrument to be _____

Notary Public for Oregon

My Commission expires _____

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Highway Division
File 55196

ADDENDUM TO RELEASE:

The attached Release is executed with the understanding that the following items of construction will be done by the State Highway Division.

1. Existing G-1 inlets at Station 1843+20 and 1846+06 are to be lowered to facilitate drainage flow.
2. An additional G-1 inlet to be installed at Station 1845+60.
3. The grade on the approach to the Keno Store, centered at Station 1845+12, west side, is to be lowered.
4. A fence is to be installed between the bridge and the right of way at Station 1846+50, and a "No Pedestrian" sign mounted on same.
5. State highway crews will endeavor to keep edge of right of way swept of sanding materials at end of sanding seasons.

Dated this 14th day of April, 1986.

Lawrence Howard

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of May of Deeds A.D. 19 86 at 3:37 o'clock P M., and duly recorded in Vol. 27th day on Page 9047 M86
By Evelyn Biehn, County Clerk
Evelyn Biehn

FEE \$13.00