

69291

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

Highway Division  
File 47861  
9B-11-15

Vol. 1286 Page 23006

ORIGINAL

## INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 12 day of November, 1986, 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 ADMINISTRATION**, hereinafter called "Government".

WHEREAS, State by Easement Deed recorded August 4, 1975, in Volume M-75, Page 9003, Klamath County Deed Records, acquired from Government, certain highway right of way over Deschutes National Forest land, part of which is situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 30, Township 24 South, Range 9 East, W.M., Klamath County, which deed, in part, reserved access rights, for the service of the Deschutes National Forest land, to and from the Westerly side of the relocated The Dalles-California Highway, opposite Engineer's Station 1621+00; and

WHEREAS, Government has requested that the access rights opposite said Station 1621+00 be terminated and that there be substituted therefor access rights to and from the Easterly side of said highway opposite Engineer's Station 1620+61; and

WHEREAS, State is agreeable to the granting of Government's request.

NOW THEREFORE, THIS INDENTURE WITNESSETH, that for and in consideration of the grant hereinafter made by State, GOVERNMENT does hereby transfer and relinquish unto State, its successors and assigns, Government's access rights to and from the Westerly side of the relocated The Dalles-California Highway opposite said Station 1621+00 reserved in said deed recorded August 4, 1975. STATE, in consideration of the relinquishment and warranties herein made, does hereby grant access rights unto Government, its successors and assigns, to and from the Easterly side of said highway, opposite said Station 1620+21, in a width of 35 feet, and unrestricted as to use.

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Highway Division  
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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.

APPROVED BY

Carlton B. Jackson  
UNITED STATES FOREST SERVICE  
for Regional Forester  
Department of Agriculture

APPROVED AS TO LEGAL SUFFICIENCY

James L. Loeis  
Assistant Attorney General

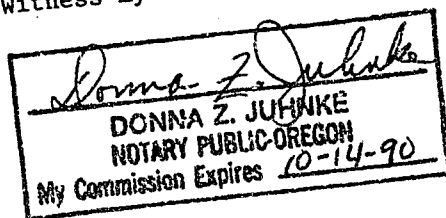
Date 9-29-86

STATE OF OREGON )

COUNTY OF MULTNOMAH )

I, Donna F. Juhnke, a Notary Public in and for the State of Oregon, do hereby  
certify that on this the 29th day of October, 19886, before me personally  
appeared Robert B. Rutledge, Regional Counsel of the Department of Transporta-  
tion, Federal Highway Administration, and acknowledged that the foregoing instrument  
bearing date of October 29, 19886, 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 29th day of October, 19886.



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

By Robert B. Rutledge  
Regional Counsel

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

By J. B. Boyd, Right of Way Manager  
11/12/86

Donna F. Juhnke  
Notary Public for Oregon

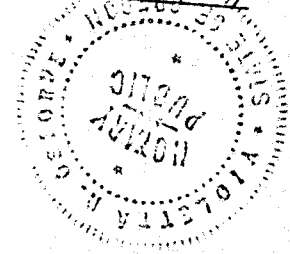
My Commission expires 10-14-90

STATE OF OREGON, County of Marion

November 12, 1986. 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:

Violetta R. Osborne  
Notary Public for Oregon

My Commission expires 1-30-89



9-18-86  
Page 3 - IA  
slb/hy

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
of December A.D., 19 86 at 11:16 o'clock A M., and duly recorded in Vol. M86  
of Deeds on Page 23006

FEE \$13.00

Evelyn Biehn, County Clerk  
By Sam Smith