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Vol. 1790 Page 6782Highway Division
File 22091
Map No. 6B-14-3RETURN TO
OREGON STATE HIGHWAY DIVISION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM, OREGON 97310

CORRECTION INDENTURE OF ACCESS

ORIGINAL

THIS INDENTURE, made and executed this 2nd day of April, 1990,

by and between the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, hereinafter called "State", and DENVER W. PARKS and MILDRED A. PARKS, husband and wife, hereinafter called "Owners"; and

WHEREAS, State, by deed recorded September 16, 1954, in Volume 269, Page 328, Klamath County Deed Records, acquired from Denver W. and Victoria C. Parks certain property situated in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 28 South, Range 8 East, W.M., Klamath County, Oregon, which deed, in part, reserved access rights for the service of said grantors' remaining property, to and from the Westerly side of the right of way of the relocated The Dalles-California Highway opposite Engineer's Stations 993+00 and 1000+00 in widths of 25 feet and unrestricted private residential use, existing farming and mining activity on the grantors' remaining land only; and

WHEREAS, the access approach on the Westerly side of said highway was constructed opposite Engineer's Station 999+63 instead of opposite said Stations 993+00 and 1000+00; and

WHEREAS, Mildred A. Parks is successor in interest to Victoria C. Parks, who is deceased; and

WHEREAS, it is now desired by the parties hereto to show in the public records the location where the access was constructed and as 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 Westerly side of the right of way of the relocated The Dalles-California Highway opposite said Stations 993+00 and 1000+00 as reserved in the above-mentioned deed recorded September 16, 1954. Owners represent and warrant that no one, other than Owners is using or entitled to use the access rights herein

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relinquished. STATE, in consideration of the relinquishment herein made by Owners, does hereby grant access rights to Owners, their heirs and assigns, to and from the Westerly side of the relocated The Dalles-California Highway opposite Engineer's Station 999+63 in a width of 35 feet and unrestricted as to use.

This Indenture is being executed by the parties herein to correct the Engineer's Station where the granted access was constructed to Engineer's Station 999+63, which was inadvertently stated as Engineer's Station 999+35 in that certain Indenture of Access recorded August 3, 1983, in Volume 1188, Page 12465, Klamath County Records.

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

APPROVED AS TO LEGAL SUFFICIENCY

Cynthia Carter
Assistant Attorney General
Date 3-5-90

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

By *Steven Green*
Steven Green, Right of Way Manager

Denver W Parks
Denver W. Parks

Mildred A. Parks
Mildred A. Parks

STATE OF OREGON, County of Marion

April 2, 1990. Personally appeared Steven Green, 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. Ockers
Notary Public for Oregon
My Commission expires 1-30-92

STATE OF OREGON, County of Klamath

March 28, 1990. Personally appeared the above named Denver W. Parks and Mildred A. Parks, who acknowledged the foregoing instrument to be their voluntary act. Before me:

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Mary E. Lanyon
Notary Public for Oregon
My Commission expires 12-19-92

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of State of Oregon the 11th day
of April A.D., 19 90 at 4:03 o'clock P.M., and duly recorded in Vol. M90
of Deeds on Page 6782

FEE \$13.00

Evelyn Biehn, County Clerk
By *Pauline Mulendore*