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Highway Division
File 35976
8B-28-22

ORIGINAL

INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 30 day of August, 1980, by and between the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, hereinafter called "State", and DON R. GRUENER and SUSAN E. GRUENER, husband and wife, hereinafter called "Owners".

WHEREAS, State by deed recorded July 1, 1964, in Book 354, Page 244, as Document No. 90028, Klamath County Deed Records, acquired from Newton V. Minton and Fay Minton, husband and wife, certain property situated in the NE~~SE~~ of Section 2, Township 39 South, Range 9 East, W.M., Klamath County, Oregon, which deed reserved access rights, for the service of said grantors' remaining property, to and from the Southerly side of the relocated Klamath Falls-Lakeview Highway, opposite Engineer's Station 124+52; and

WHEREAS, Owners, are now the legal owners of said remaining property affected by the access changes herein made; and

WHEREAS, Owners have requested that their access rights opposite said Station 124+52 be terminated, and that access rights be substituted, therefor to and from the Southerly side of said highway opposite Engineer's Station 124+22; and

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

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 Southerly side of the relocated Klamath Falls-Lakeview Highway opposite said Station 124+52, reserved in said deed recorded July 1, 1964. Owners represent and warrant that no one, other than Owners, is using or entitled to use the access rights herein relinquished. STATE, in consideration of the relinquishment and warranties herein made, does hereby grant access rights unto Owners, their

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heirs and assigns, to and from the Southerly side of said highway, opposite said Station 124+22, in a width of 35 feet, and unrestricted as to use.

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

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

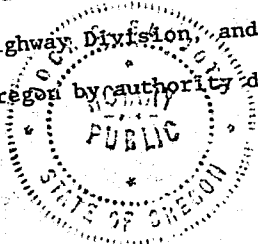
By Steven Green
Steven Green, Right of Way Manager

Don R. Gruener
Don R. Gruener

Susan E. Gruener
Susan E. Gruener

STATE OF OREGON, County of Marion

August 30, 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:

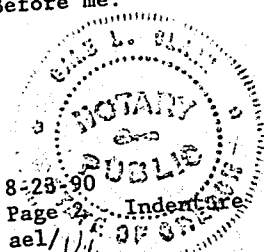


[Signature]
Notary Public for Oregon
My Commission expires 7-8-93

STATE OF OREGON, County of Klamath

August 28, 1990. Personally appeared the above named Don R. Gruener and Susan E. Gruener, who acknowledged the foregoing instrument to be their voluntary act.

Before me:



[Signature]
Notary Public for Oregon
My Commission expires 12-13-91

Return: Oregon Dept. of Transportation
Highway Div.
Transportation Bldg.
Salem, Or. 97310

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Oregon Dept. of Transportation the 5th day
of Sept. A.D., 19 90 at 11:49 o'clock AM. and duly recorded in Vol. M90
of Deeds on Page 17783
Evelyn Biehn - County Clerk
By [Signature]

FEE \$13.00