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Vol. M98 Page 27804ODOT
File 18026
7B-8-19

INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 28th day of July, 19 98, by and between the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called "State", and KAREN J. DEMARIS, Successor Trustee of the Betty J. Ahern Living Trust u.d.d. September 27, 1989, hereinafter called "Owner".

WHEREAS, State by deed recorded May 6, 1953, in Book 260, Page 484, Klamath County Deed Records, acquired from Jacob Wm. Schabener and Grace Schabener, husband and wife, certain property situated in the (S1/2) of Section 24, and the (NE1/4) (NW1/4) of Section 25, Township 23 South, Range 9 East, W.M., Klamath County, Oregon, which deed, in part, reserved access rights, for the service of said grantor's remaining property, to and from the West side of the relocated The Dalles - California Highway, opposite Engineer's Station 1145+00; and

WHEREAS, Owner, by bargain and sale deed recorded in Volume M89, Page 1872, Klamath County Deed Records, acquired fee title to that portion of said remaining property affected by the access changes herein made; and

WHEREAS, Owner has requested that Owner's access rights opposite said Station 1145+00 be terminated, and that access rights be substituted, therefor to and from the West side of said highway opposite Engineer's Station 1161+84; and

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

NOW THEREFORE, THIS INDENTURE WITNESSETH, that for and in consideration of the grant hereinafter made by State, OWNER does transfer and relinquish unto State, its successors and assigns, Owner's access rights to and from the West side of the relocated The Dalles - California Highway opposite said Station 1145+00, reserved in said deed recorded May 6, 1953. Owner represents and warrants that no one, other than Owner, is using or entitled to use the access rights herein relinquished. STATE, in consideration of the relinquishment and warranties herein made, does grant access rights unto Owner and owner's heirs, successors and assigns, to and from the West side of said highway, opposite said Station 1161+84, in a width of 35 feet, and unrestricted as to use.

7-17-98

AFTER RECORDING RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM, OREGON 97310

ORIGINAL

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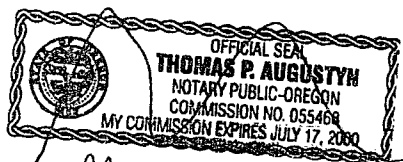
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ODOT
File 18026
7B-8-19

The access rights reserved herein are subject to, and may only be exercised in accordance with, the statutes and administrative rules applicable to access control and road approaches. Such access is contingent upon issuance of an approach road permit, and no access rights may be exercised or construction of an approach road begun unless, and until, a standard Approach Road Permit application is submitted and a permit issued by the Oregon Department of Transportation. The approach road may only be constructed or maintained upon issuance of such permit and in accordance with such permit. If the State constructs the approach road during a highway project, Grantor is required to sign a standard Approach Road Permit to ensure proper operation and maintenance of the approach road.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

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



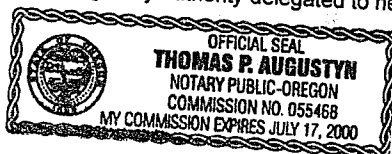
STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION

By Deolinda G. Jones
Deolinda G. Jones, Right of Way Manager

Karen J. DeMaris, Trustee
Karen J. DeMaris, Trustee

STATE OF OREGON, County of Marion

7-29, 1998. Personally appeared Deolinda G. Jones, who being sworn, stated that she is the Right of Way Manager for the State of Oregon, Department of Transportation, and that this document was voluntarily signed on behalf of the State of Oregon by authority delegated to her. Before me:



Thomas P. Augustyn
Notary Public for Oregon

My Commission expires 7/17/2000

STATE OF OREGON, County of Deschutes

July 20, 1998. Personally appeared the above named Karen J. DeMaris, Trustee, and acknowledged the foregoing instrument to be her voluntary act. Before me:

Jalanne M. Childers
Notary Public for Oregon

My Commission expires May 30, 2000

7-17-98

Page 2 - Indenture of Access
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Oregon Department of Transp. the 29th day
of July A.D., 19 98 at 1:38 o'clock P. M., and duly recorded in Vol. M98
of Deeds on Page 27804

FEE \$15.00

By Kathleen Ross
Bernetha G. Letsch, County Clerk