

INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 19th day of October, 1999, by and between the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called "State", and RICHARD A. LAWRENCE and PATRICIA A. LAWRENCE, husband and wife, hereinafter called either "Owner" or "Lawrences", (File 6050-013); LESTLEY JACKSON, JR. and DIANNE LYNN JACKSON, husband and wife, hereinafter called "Jacksons", (File 6050-012); GEORGE R. DE MOSS and GAIL DE MOSS, husband and wife, hereinafter called "De Mosses", (File 6050-011),

WHEREAS, State by deed recorded May 3, 1990, in Volume M90, Page 8413, Klamath County Deed Records, acquired from Richard A. Lawrence and Patricia A. Lawrence, husband and wife, certain property lying in the N1/2S1/2NE1/4 of Section 28, Township 34 South, Range 7 East, W.M., Klamath County, Oregon, which deed 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 3015+62; which remaining property Lawrences still own; and

WHEREAS, Jacksons, by deed recorded May 21, 1996, in Volume M96, Page 14800, Klamath County Deed Records, acquired fee title to property affected by the access changes herein made under File 6050-012; and

WHEREAS, De Mosses, by deed recorded October 11, 1995, in Volume M95, Page 27406, Klamath County Deed Records, acquired fee title to property also affected by the access changes herein made under File 6050-011; and

WHEREAS, Owner has requested that Owner's access rights opposite said Station 3015+62 be terminated, and that access rights be substituted therefor to and from the West side of said highway opposite Engineer's Station 3012+50; and

WHEREAS, Jacksons and De Mosses as interestholders affected by this change in access, are in agreement with Owner's stated request; 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 3015+62, reserved in the aforementioned deed recorded May 3, 1990. Jacksons and DeMosses as interestholders affected by this change in access, do also transfer and relinquish unto State, its successors, and assigns, any, all, and whatever access rights they may have to and from the aforementioned Station 3015+62. STATE, in consideration of the relinquishment 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 3012+50, in a width of 35 feet.

8-19-99

AFTER RECORDING RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM, OREGON 97301-3871
ATTN: Joy Honeywell

42173

ODOT
Files 6050-011
6050-012 and 6050-013
9B-34-14

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

Patricia A. Lawrence
Patricia A. Lawrence

Dianne Lynn Jackson
Dianne Lynn Jackson

Gail De Moss
Gail De Moss

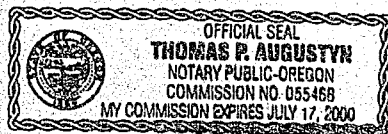
Richard A. Lawrence Jr.
Richard A. Lawrence Jr.

Lestley Jackson Jr.
Lestley Jackson Jr.

George R. De Moss
George R. De Moss

STATE OF OREGON, County of Marion

October 19, 1999. 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

8-19-99

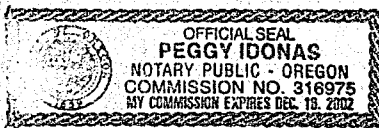
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ODOT
Files 6050-011
6050-012 and 6050-013
9B-34-14

STATE OF OREGON, County of Klamath

_____, _____, Personally appeared the above named Richard A. Lawrence and Patricia A. Lawrence, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Peggy Idonas
Notary Public for Oregon

My Commission expires 12/16/2002

ARKANSAS
STATE OF OREGON, County of Polk

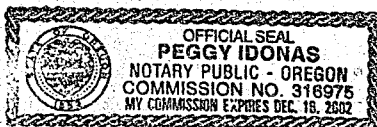
September 22, 1999. Personally appeared the above named Lestley Jackson, Jr. and Dianne Lynn Jackson, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Kuenda Sloan
Notary Public for Oregon ARKANSAS

My Commission expires 2-1-01

STATE OF OREGON, County of Klamath

_____, _____, Personally appeared the above named George R. De Moss and Gail De Moss, who acknowledged the foregoing instrument to be their voluntary act. Before me:



Peggy Idonas
Notary Public for Oregon

My Commission expires 12/16/2002

State of Oregon, County of Klamath
Recorded 10/22/99, at 10:23 a.m.
In Vol. M99 Page 42172
Linda Smith,
County Clerk Fee \$ 40⁰⁰