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State of Oregon, County of Klamath  
Recorded 02/06/2003 3:07 P m.  
Vol M03 Pg 07586-88  
Linda Smith, County Clerk  
Fee \$ 31.00 # of Pgs 3

MTZ 59469

**CONVEYANCE OF ACCESS RIGHTS**

For the true and actual consideration of \$ 23,100.00, DAVID RUSTH and CARLA RUSTH, husband and wife, Grantor, as the owner of the property described on Exhibit "A" dated 9/20/2002 attached hereto and by this reference made a part hereof, does convey and relinquish unto the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION**, Grantee, all abutter's rights of access between the real property hereinabove described and The Dalles-California Highway.

Grantor represents and warrants that no one, other than Grantor, is using or entitled to use the access rights herein conveyed and does covenant to and with Grantee, its successors and assigns, that Grantor is the legal owner of the above-mentioned property.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

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.

RETURN TO AND TAX STATEMENT TO  
OREGON DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY SECTION  
355 CAPITOL STREET NE, ROOM 420  
SALEM OR 97301-3871

Account No.: 433034, 433043, 3809-19AD-100, 200

Property Address: 3505 Quarry St  
Klamath Falls, OR 97601

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It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this 22nd day of January, 20 03.

David Rusth  
David Rusth

Carla Rusth  
Carla Rusth

STATE OF OREGON, County of Klamath

Dated January 22, 20 03. Personally appeared the above named David Rusth and Carla Rusth, husband and wife, who acknowledged the foregoing instrument to be their voluntary act. Before me:

Linda L. Drake  
Notary Public for Oregon

My Commission expires 7-30-2006



Accepted on behalf of the Oregon Department of Transportation

[Signature]

07588

**EXHIBIT A** - Page 1 of 1

**File 6951008**

Drawing 10B-16-11

9/20/2002

**Access Only**

A tract of land lying in the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 19, Township 38 South, Range 9 East, W.M., Klamath County, Oregon and being that property described in that Warranty Deed to David Rusth and Carla Rusth, recorded in Book M-01, Page 39674 of Klamath County Record of Deeds.