

**INDENTURE OF ACCESS**

**THIS INDENTURE**, made and executed this 22nd day of December, 2005, by and between the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, hereinafter called "State", and **KLAMATH COMMUNITY COLLEGE SERVICE DISTRICT, A GOVERNMENTAL ENTITY**, hereinafter called "Owner".

WHEREAS, State by Warranty Deed recorded February 21, 1975, in Volume 75, Page 2133, Klamath County Deed Records, acquired certain property; which Warranty Deed, in part, reserved access rights, for the service of the grantor's remaining property, to and from the Southerly side of the Klamath Falls-Lakeview Highway, opposite Engineer's Station 180+30, 183+30, 186+30 and 189+60, (Reserved Access Rights); and

WHEREAS, Owner, by deed recorded July 22, 1999, in Volume M99, Page 29278, 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 Reserved Access Rights set out above be terminated; and

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

NOW THEREFORE, THIS INDENTURE WITNESSETH, that OWNER does convey unto State, its successors and assigns, Owner's Reserved Access Rights as set forth above.

The other remaining provisions in the above-mentioned Warranty Deed to State shall remain in full force and effect.

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

Owner represents and warrants that no one, other than Owner, is using or entitled to use the Reserved Access Rights herein relinquished.

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

**KLAMATH COMMUNITY COLLEGE SERVICE  
DISTRICT, A GOVERNMENTAL ENTITY**

*Renee M. Ferguson*  
Representative *Renee M. Ferguson, Dean for  
Administrative Services*  
Representative

STATE OF OREGON, County of Marion

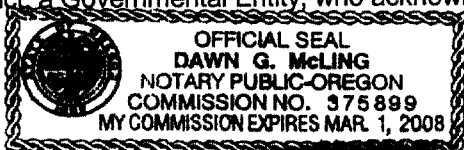
Dated December 22, 2005. Personally appeared Deolinda G. Jones, who being sworn, stated that she is the Right of Way Manager for the State of Oregon, Department of Transportation, and that this document was voluntarily signed on behalf of the State of Oregon by authority delegated to her. Before me:



*Dale R. Shafer*  
Notary Public for Oregon  
My Commission expires 11/01/2007

STATE OF OREGON, County of Klamath

Dated December 8, 2005. Personally appeared the above named Klamath Community College Service District, a Governmental Entity, who acknowledged the foregoing instrument to be their voluntary act. Before me:



*Dawn G. McIlroy*  
Notary Public for Oregon  
My Commission expires 3/1/2008