

2008-005819

Klamath County, Oregon



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04/22/2008 11:01:20 AM

Fee: \$31.00

INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 16th day of April, 2008, by and between the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION**, hereinafter called "State", and **MICHAEL W. FAIVRE AND SANDY M. FAIVRE, AS TENANTS BY THE ENTIRETY**, hereinafter called "Owner".

WHEREAS, State by Warranty Deed recorded April 20, 1965, in Book 361, Page 8, 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 135+20, (Reserved Access Rights); and

WHEREAS, Owner, by deed recorded January 16, 2007, in Document No. 2007-000768, 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.

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

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, as fully as if set forth herein.

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 [Signature]
Deolinda G. Jones, State Right of Way Manager

[Signature]
Michael W. Faivre

[Signature]
Sandy M. Faivre

STATE OF OREGON, County of Marion

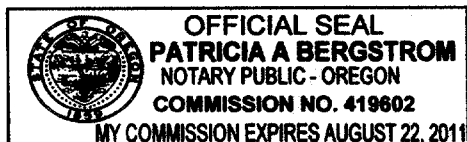
Dated April 16, 2008. Personally appeared Deolinda G. Jones, who being sworn, stated that she is the State Right of Way Manager for the State of Oregon, Department of Transportation, and that this document was voluntarily signed on behalf of the State of Oregon by authority delegated to her. Before me:



[Signature: Dale R. Shafer]
Notary Public for Oregon
My Commission expires 11/01/2011

STATE OF OREGON, County of Klamath

Dated March 19, 2008. Personally appeared the above named Michael W. Faivre and Sandy M. Faivre, who acknowledged the foregoing instrument to be their voluntary act. Before me:



[Signature: Patricia A. Bergstrom]
Notary Public for Oregon
My Commission expires 8/22/2011