

2009-011234

Klamath County, Oregon



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08/21/2009 09:50:52 AM

Fee: \$31.00

File 35922  
Drawing 8B-28-22

**INDENTURE OF ACCESS**

THIS INDENTURE, made and executed this 17<sup>th</sup> day of August, 2009, by and between the  
STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, hereinafter called "State", and  
TIMOTHY J. MOORE AND HEATHER L. MOORE, HUSBAND AND WIFE, hereinafter called "Owner".

WHEREAS, State by Permanent Slope Easement and Conveyance of Access recorded July 28, 1964, in Volume  
355, Page 38, Klamath County Deed Records, acquired certain property; which Permanent Slope Easement and  
Conveyance of Access, 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 92+80, (Reserved Access Rights); and

WHEREAS, Owner, by deed recorded June 13, 2008, in Document No. 2008-008600, 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 Permanent Slope Easement and Conveyance of Access 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

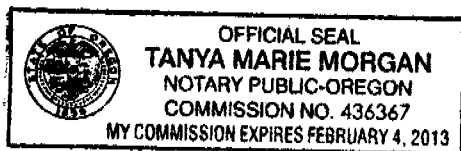
By *Declinda G. Jones*  
Declinda G. Jones, State Right of Way Manager

*Timothy J. Moore*  
Timothy J. Moore

*Heather L. Moore*  
Heather L. Moore

STATE OF OREGON, County of *Klamath*

Dated *August 13*, 20*09*, Personally appeared the above named Timothy J. Moore and Heather L. Moore, who acknowledged the foregoing instrument to be their voluntary act. Before me:



*Tanya Marie Morgan*  
Notary Public for Oregon  
My Commission expires *Feb. 4, 2013*

STATE OF OREGON, County of Marion

Dated August 17, 2009. 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:

Dale R. Shafer

Notary Public for Oregon

My Commission expires 11/01/2011

