

NTC 87438

2010-010601

Klamath County, Oregon



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09/07/2010 03:14:38 PM

Fee: \$47.00

File 6023 032  
Drawing 8B-36-6

### CONVEYANCE OF ACCESS RIGHTS

For the true and actual consideration of \$350.00, **CORTEZ, LLC**, an Oregon limited liability company, which acquired title as **Cortez, LLC**, Grantor, as the owner of the property described on **Exhibit "A"** dated **4/05/2010**, 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 Lake of the Woods 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  
OREGON DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY SECTION  
355 CAPITOL STREET NE, ROOM 420  
SALEM OR 97301-3871

Map and Tax Lot #: 39-09-00700-00301

Property Address:

47and

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 11<sup>th</sup> day of August, 20 10.

**CORTEZ, LLC, an Oregon limited liability company,  
which acquired title as Cortez, LLC**

Anthony L. Costantino, manager  
Anthony L. Costantino, Manager

STATE OF OREGON, County of Josephine

Dated August 11, 20 10. Personally appeared the above named Anthony L. Costantino, Manager of Cortez, LLC, an Oregon limited liability company, who acknowledged the foregoing instrument to be his voluntary act.

Before me:



Anne L. Snyder  
Notary Public for Oregon  
My Commission expires 10-23-2013

Accepted on behalf of the Oregon Department of Transportation

[Signature]

**Access only**

A parcel of land lying in the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 7, Township 39 South, Range 9 East, W.M., Klamath County, Oregon and being all of that property described in that Bargain and Sale Deed to Cortez LLC, recorded August 8, 2008 in Book 2008, Page 011254, Klamath County Record of Deeds.

-----This parcel of land contains 25.66-acres, more or less.-----