

CONVEYANCE OF ACCESS RIGHTS

For the true and actual consideration of \$650.00, **BURTON JACOB DE YOUNG and YOLANDA DE YOUNG, Trustees of the De Young Revocable Family Trust dated December 17, 1987; and CHRIS L. DE YOUNG, Trustee of the Chris L. De Young Revocable Trust dated October 30, 2008**, Grantor, as the owner of the property described as to **Parcel 1 on Exhibit "A" dated 9/12/2012**, 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 Klamath Falls - Lakeview Highway, EXCEPT, however,

Access rights are reserved unto Grantor and grantor's heirs, successors and assigns, for the service of the above-described property, to and from said property and the Klamath Falls - Lakeview Highway at the following place(s), in the following width(s):

Hwy. Engr's Sta.	Side of Hwy.	Width
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The access rights reserved herein are subject to, and may only be exercised in accordance with, the statutes and administrative rules applicable to access control and road approaches. Such access is contingent upon issuance of an approach road permit, and no access rights may be exercised or construction of an approach road begun unless, and until, a standard Approach Road Permit application is submitted and a permit issued by the Oregon Department of Transportation. The approach road may only be constructed or maintained upon issuance of such permit and in accordance with such permit. If the State constructs the approach road during a highway project, Grantor is required to sign a standard Approach Road Permit to ensure proper operation and maintenance of the approach road.

AFTER RECORDING RETURN TO:
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
4040 FAIRVIEW INDUSTRIAL DRIVE SE MS#2
SALEM OR 97302-1142

Map and Tax Lot #: 3909-001BC-03600-000

Property Address: 5861 S. 6th Street
Klamath Falls, OR 97603

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Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property described as **Parcel 2 on Exhibit "A" dated 9/12/2012**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate three (3) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcel 2, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

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.

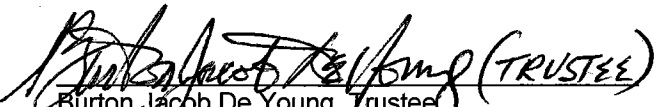
Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration 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.

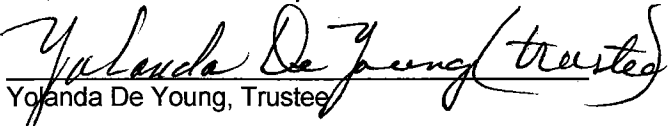
In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

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 2nd day of November, 20 2012.

**DE YOUNG REVOCABLE FAMILY TRUST dated
December 17, 1987**

 (TRUSTEE)
Burton Jacob De Young, Trustee

 (trustee)
Yolanda De Young, Trustee

**CHRIS L. DE YOUNG REVOCABLE TRUST dated
October 30, 2008**

 (trustee)
Chris L. De Young, Trustee

ACKNOWLEDGMENT

State of California
County of Santa Barbara)

On November 2, 2012 before me, Marsha D. Morgan, Notary Public
(insert name and title of the officer)

personally appeared Burton Jacob DeYoung and Yolanda DeYoung and Chris L. DeYoung ***,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

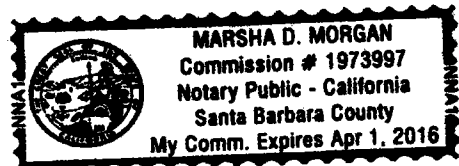
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Marsha D. Morgan

(Seal)



STATE OF OREGON, County of _____

Dated _____, 20____. Personally appeared the above named Burton Jacob De Young and Yolanda De Young, Trustees, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Notary Public for Oregon
My Commission expires _____

STATE OF OREGON, County of _____

Dated _____, 20____. Personally appeared the above named Chris L. De Young, Trustee, and acknowledged the foregoing instrument to be his voluntary act. Before me:

Notary Public for Oregon
My Commission expires _____

Accepted on behalf of the Oregon Department of Transportation

Parcel 1 – Access Only

A parcel of land lying in the SW¼NW¼ of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being all of that property described in that Special Warranty Deed to Burton Jacob De Young and Yolanda De Young, Trustees of the De Young Revocable Family Trust Dated December 17, 1987, as to an undivided 50% interest; Chris L. De Young, Trustee of the Chris L. De Young Revocable Family Trust Dated October 30, 2008, as to an undivided 50% interest, recorded September 16, 2011 in Book 2011, Page 010468, Klamath County Record of Deeds.

Parcel 2 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)

A parcel of land lying in the SW¼NW¼ of Section 1, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being a portion of that property described in that Special Warranty Deed to Burton Jacob De Young and Yolanda De Young, Trustees of the De Young Revocable Family Trust Dated December 17, 1987, as to an undivided 50% interest; Chris L. De Young, Trustee of the Chris L. De Young Revocable Family Trust Dated October 30, 2008, as to an undivided 50% interest, recorded September 16, 2011 in Book 2011, Page 010468, Klamath County Record of Deeds; said parcel being that portion of said property lying Southerly of the following described line:

Beginning at a point opposite and 50.00 feet Northerly of Engineer's Station 131+06.00 on the center line of the relocated Klamath Falls – Lakeview Highway; thence Easterly in a straight line to a point opposite and 65.00 feet Northerly of Engineer's Station 135+05.00 on said center line.

The center line of the relocated Klamath Falls – Lakeview Highway is described as follows:

Beginning at center line station 128+15.00, said station being the West quarter corner of Section 1, Township 39 South, Range 9 East W.M.; thence South 89° 51' 00" East 360.50 feet; thence on a spiral curve right (the long chord of which bears South 87° 08' 35" East 499.55 feet) 500.00 feet; thence on a 1,763.64 foot radius curve right (the long chord of which bears South 67° 58' 42" East 838.38 feet) 846.48 feet; thence on a spiral curve right (the long chord of which bears South 48° 48' 48" East 499.55 feet) 500.00 feet; thence South 46° 06' 23" East 69.88 feet to Engineer's center line station 150+91.86 Back equals 150+92.02 Ahead; thence South 46° 06' 23" East 4,093.12 feet to center line station 191+85.14, on said center line.

This parcel of land contains 2,402 square feet, more or less.

