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INDENTURE OF ACCESS

THIS INDENTURE, made and executed this 10th day of November, 2015, for no monetary consideration, by and between the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION**, hereinafter called "State", and **ARTHUR R. GEARY, SUZANNE J. GEARY formerly known as SUZANNE J. PAYMAR, SARAH G. GUSTAFSON and DEREK PARKER**, hereinafter called "Owners".

WHEREAS, State by Warranty Deed recorded March 14, 1952 in Book 253, Page 447, 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 East side of the Klamath Lake Highway (now known as the Lake of the Woods Highway) opposite Engineer's Station 1690+00, in a width of 25 feet (Reserved Access Rights); and

WHEREAS, Owners are the owners of that property described as Parcel 1 of Exchange Deed recorded April 5, 2011, as Document No. 2011-004416, Klamath County Deed Records, which is the property affected by the access changes herein made; and

WHEREAS, as evidenced by Easement Agreement for Access Purposes recorded March 2, 2010, as Document No. 2010-002794, Klamath County Deed Records, Owners' property has benefit of an access easement which abuts the highway at Station 1715+47.

AFTER RECORDING RETURN TO:
OREGON DEPARTMENT OF TRANSPORTATION
PROPERTY MANAGEMENT / ACCESS RESEARCH
4040 FAIRVIEW INDUSTRIAL DRIVE SE, MS#2
SALEM OR 97302-1142

WHEREAS, Owners have requested that Owners' Reserved Access Rights at Station 1690+00 be terminated, and that access rights be substituted; therefore to and from the East side of the Lake of the Woods Highway opposite Engineer's Station 1715+47, in a width of 25 feet (New Access Rights); and

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

NOW THEREFORE, THIS INDENTURE WITNESSETH, that for and in consideration of the grant herein made by State, OWNERS do convey unto State, its successors and assigns, Owners' Reserved Access Rights at Station 1690+00, and STATE, in consideration of the relinquishment and warranties herein made, does grant New Access Rights as set forth above unto Owners and Owners' heirs, successors and assigns.

The other remaining provisions in the above-mentioned Warranty Deed to State shall remain in full force and effect, and the access rights herein granted shall be subject to all the provisions of said Warranty Deed, as fully as if set forth herein.

The New Access Rights granted 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.

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.

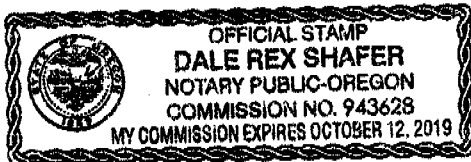
IN WITNESS WHEREOF, the parties hereto have executed these presents the day and year first written above.

STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION

By 
Joseph A. Gray, State Right of Way Manager

STATE OF OREGON, County of Marion

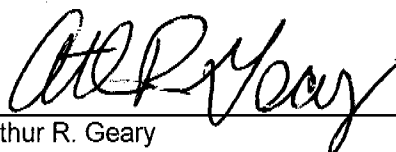
Dated January 20, 2016. Personally appeared Joseph A. Gray, who being sworn, stated that he is the State Right of Way Manager for the State of Oregon, Department of Transportation, and that this document was voluntarily signed on behalf of the State of Oregon by authority delegated to him. Before me:



Dale R. Shafer
Notary Public for Oregon
My Commission expires 10/12/2019

SEE ATTACHED SEPARATE SIGNATURES AND ACKNOWLEDGMENTS PAGES 4 THRU 7

SIGNATURE PAGE 4 OF 7 AS ATTACHED TO ABOVE INDENTURE OF ACCESS DATED November 10, 2015




Arthur R. Geary

Washington
STATE OF ~~OREGON~~, County of Clark

Dated December 1, 20 15, Personally appeared, and signed before me by, the above named Arthur


R. Geary, who acknowledged the foregoing instrument to be his voluntary act. Before me:





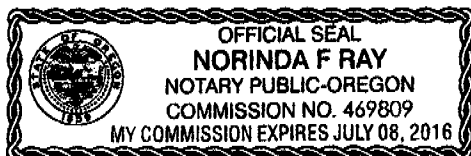
Notary Public for ~~Oregon~~ Washington
My Commission expires 6/29/16


SIGNATURE PAGE 5 OF 7 AS ATTACHED TO ABOVE INDENTURE OF ACCESS DATED November 10, 2015


Suzanne J. Geary formerly known as Suzanne J. Paymar

STATE OF OREGON, County of Multnomah

Dated December 17, 20 15 Personally appeared, and signed before me by, the above named
Suzanne J. Geary, who acknowledged the foregoing instrument to be her voluntary act. Before me:



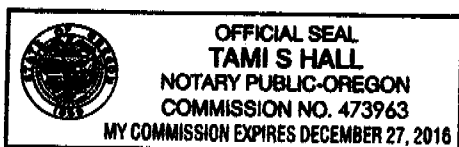

Notary Public for Oregon
My Commission expires 07/08/2016


SIGNATURE PAGE 6 OF 7 AS ATTACHED TO ABOVE INDENTURE OF ACCESS DATED November 10, 2015


Sarah G. Gustafson

STATE OF OREGON, County of Multnomah

Dated November 23, 2015. Personally appeared, and signed before me by, the above named Sarah G. Gustafson, who acknowledged the foregoing instrument to be her voluntary act. Before me:




Notary Public for Oregon
My Commission expires 12/27/16

SIGNATURE PAGE 7 OF 7 AS ATTACHED TO ABOVE INDENTURE OF ACCESS DATED November 10, 2015

Dm Parker

Derek Parker

STATE OF OREGON, County of Washington

Dated January 16, 20 16. Personally appeared, and signed before me by, the above named Derek

Parker, who acknowledged the foregoing instrument to be his voluntary act. Before me:



D Moore

Notary Public for Oregon

My Commission expires June 28, 2019