

MITC 54700AM

File 9062 002
Drawing 11B-6-15

2016-005337
Klamath County, Oregon
05/20/2016 11:14:27 AM
Fee: \$52.00

CONVEYANCE OF ACCESS RIGHTS

For the true and actual consideration of \$350.00, **CH TOWN & COUNTRY, LLC**, a Delaware Limited Liability Company, Grantor, as the owner of the property described as follows:

A parcel of land lying in the NE¼SE¼ of Section 3, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being that property designated as Parcels 1 and 2 and described in that Bargain and Sale Deed to Town & Country Center, L.L.C., recorded March 14, 2002 in Volume M02, Page 15183, Klamath County Record of Deeds.

EXCEPT therefrom that property designated as Parcels 1 and 2 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded May 21, 2013 in Volume 2013, Page 005684, Klamath County Record of Deeds.

This parcel of land contains 8.11 acres, more or less,

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,

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 #: 39 09 03DA 900

Property Address:

52

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
64+42	Right	40 feet
62+56	Right	40 feet

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.

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.

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 21 day of March, 20 16.

CH TOWN & COUNTRY, LLC, a Delaware Limited Liability Company

By: CH TOWN & COUNTRY MANAGER, LLC, a Delaware Limited Liability Company

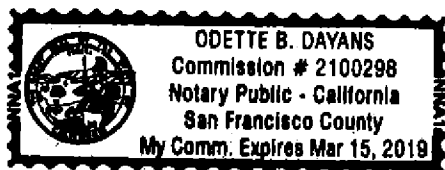
Member(s) / Manager(s)

Member(s) / Manager(s)

STATE OF CALIFORNIA, County of San Francisco

Dated 3-21-, 20 16. Personally appeared the above named Graham Chernoff
and _____, Member(s) / Manager(s) of CH Town & Country Manager, LLC, a

Delaware Limited Liability Company, Manager of CH Town & Country LLC, a Delaware Limited Liability Company who acknowledged the foregoing instrument to be their voluntary act. Before me:



Notary Public for California
My Commission expires 3-15-2019

Accepted on behalf of the Oregon Department of Transportation