



CONVEYANCE OF ACCESS RIGHTS

For the true and actual consideration of \$2,200.00, **DWIGHT H. SLADE, Successor Trustee of the Elizabeth Slade Trust U.T.A.D January 26, 1990**, Grantor, as the owner of the property described on **Exhibit "A" dated 6/2/2016** 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.
115'+42'

Side of Hwy.
North

Width
32'

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.

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 #: 3909-002AD-09200

Property Address:

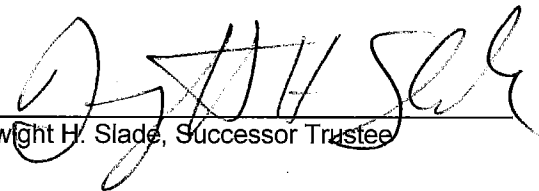
Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does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

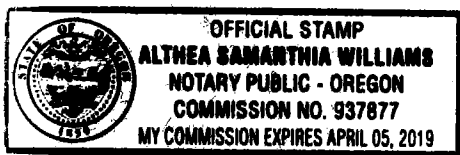
Dated this 27 day of October, 20 16.

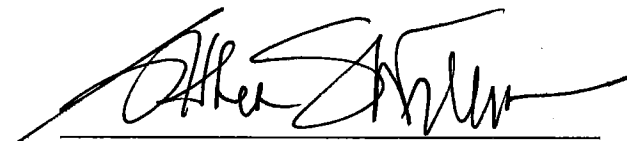
Elizabeth Slade Trust U.T.A.D January 26, 1990


Dwight H. Slade, Successor Trustee

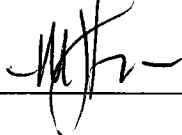
STATE OF OREGON, County of Multnomah

Dated October 27, 2016. Personally appeared the above named Dwight H. Slade, Successor Trustee of the Elizabeth Slade Trust U.T.A.D. January 26, 1990, and acknowledged the foregoing instrument to be his voluntary act. Before me:




Notary Public for Oregon
My Commission expires April 5, 2019

Accepted on behalf of the Oregon Department of Transportation



Access Only

A parcel of land lying in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 39 South, Range 9 East, W.M., Klamath County, Oregon; said parcel being that property described in that Sheriff's Deed to Terry Slade, Trustee of the Elizabeth A. Slade Family Trust, recorded November 27, 2012 in Book 2012, Page 013140, Klamath County Record of Deeds.

EXCEPT therefrom that property described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded July 2, 2013 in Book 2013, Page 007590, Klamath County Record of Deeds.

This parcel of land contains 16,867 square feet, more or less, outside the existing right of way.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITAL SIGNATURE

cosign

OREGON
NOVEMBER 10, 2010
TIMOTHY JOHN HUTCHISON
72563

EXPIRES 6/30/17

FILED
STATE OF OREGON
KLAMATH CIRCUIT COURT

2014 JAN -8 AM 10:18

CLERK OF COURT

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR KLAMATH COUNTY

IN THE MATTER OF

ELIZABETH A. SLADE TRUST

U.T.A.D. JANUARY 26, 1990

Case No. 1400046 CV

GENERAL JUDGMENT APPROVING
NONJUDICIAL SETTLEMENT
AGREEMENT

This matter having come before the Court upon the filing for approval of a Nonjudicial Settlement Agreement, along with Acceptance of Service and Waiver of Notice and 120-Day Time Period by the interested persons in the above-captioned matter filed on January 7, 2013,

NOW THEREFORE, IT IS HEREBY ADJUDGED as follows:

1. The Nonjudicial Settlement Agreement is approved.
2. The designation of Trustee to Dwight H. Slade is approved.

Dated: 1-8-14


Circuit Court Judge

Submitted by:
Edward H. Talmadge, OSB #014967
Frohnmayr, Deatherage, Jamieson, Moore,
Armosino & McGovern, P.C.
2592 East Barnett Road
Medford, OR 97504
(541) 858-3359
(541) 779-6379 - fax

ATTORNEY'S CERTIFICATION

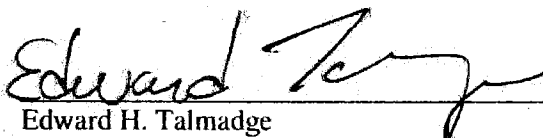
ELIZABETH A. SLADE TRUST

U.T.A.D. JANUARY 26, 1990

I, Edward H. Talmadge, hereby certify and affirm as follows:

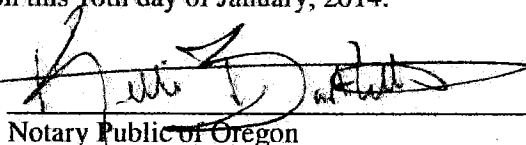
1. I am an attorney licensed to practice law in the State of Oregon.
2. On January 26, 1990, Elizabeth A. Slade executed a Trust Agreement, which established the Elizabeth A. Slade Trust U.T.A.D. January 26, 1990.
3. On January 10, 2014, I reviewed the executed documents including the Affidavit of Terry M. Slade, the fully executed *Nonjudicial Settlement Agreement* of the beneficiaries of the Elizabeth A. Slade Trust, and the Acceptance of Trustee by Dwight H. Slade.
4. To the best of my knowledge and belief, the Elizabeth A. Slade Trust U.T.A.D. January 26, 1990, remains in full force and effect as of the date of this certification.
5. Prior to January 4, 2014, Terry M. Slade was sole Trustee of the Elizabeth A. Slade Trust U.T.A.D. January 26, 1990.
6. On January 4, 2014, Terry M. Slade resigned as Trustee of the Trust.
7. Pursuant to a *Nonjudicial Settlement Agreement* between the beneficiaries, Dwight H. Slade, was appointed to serve as successor Trustee of the Elizabeth A. Slade Trust, U.T.A.D. January 26, 1990.
8. Dwight H. Slade has accepted his appointment as successor Trustee.
9. As of the date of this certification, Dwight H. Slade is the Trustee of the Trust and has full power and authority to manage and deal with the Trust's assets and to take all actions permitted and/or required of the Trustee of the Trust.

Dated this 10th day of January, 2014.


Edward H. Talmadge

Subscribed and sworn to before me on this 10th day of January, 2014.




Notary Public of Oregon