

2017-014173
Klamath County, Oregon
12/13/2017 02:01:01 PM
Fee: \$52.00

Ames Title
NOT 144606 AM

CONVEYANCE OF ACCESS RIGHTS

For the true and actual consideration of \$500, **RB & DB PROPERTIES, LLC**, an Oregon Limited Liability Company, Grantor, as the owner of the property described on Exhibit "A" dated 3/10/17 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-Malin 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-Malin Highway at the following place(s), in the following width(s):

Hwy. Engr's Sta.
86+45

Side of Hwy.
Right

Width
35'

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 #: 39s09e2CB-100

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 Nov day of Nov, 2017.

RB & DB PROPERTIES, LLC,
an Oregon Limited Liability Company

Member(s) / Manager(s)

Dana Bockelman
Member(s) / Manager(s)

STATE OF OREGON, County of Klamath

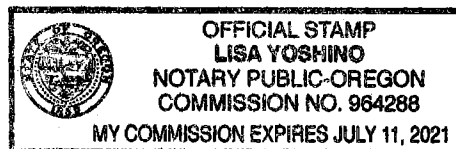
Dated Nov 17, 2017 Personally appeared the above named Dana Bockelman and

_____, Member(s) / Manager(s) of RB & DB Properties, LLC, an Oregon Limited Liability Company, who acknowledged the foregoing instrument to be their voluntary act. Before me:

[Signature]
Notary Public for Oregon
My Commission expires 7/11/2021

Accepted on behalf of the Oregon Department of Transportation

[Signature]



AFFIDAVIT OF AUTHORITY TO CONVEY REAL PROPERTY

(Limited Liability Company)

I, Dana L. Bockelman, hereby represent and warrant that I am a ☐ member, ☐ manager, or ☒ both [check applicable status] of RB+DB Properties LLC, a limited liability company (LLC), which is organized or otherwise authorized to operate under the laws of the State of Oregon. In this capacity I have the power and authority to sign all necessary documents for and on behalf of the LLC to convey any/all rights, title and interest to real and personal property held in the name of the LLC or its members to the Oregon Department of Transportation (ODOT). I make this affidavit as an alternative to providing ODOT the Articles of Organization and Operating Agreements relating to the above noted LLC and understand that doing so will bind the LLC under ORS 63.140.

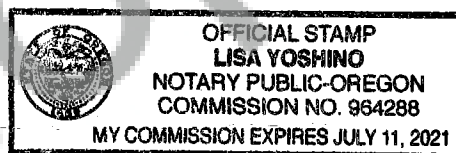
Subject to penalties for false swearing, I swear and affirm that the above information is true and accurate.

DATED this Nov day of 7th, 20 17

Dana Bockelman

Name of Affiant
Member/Manager of LLC

STATE OF OREGON)
County of Klamath) ss



SUBSCRIBED AND SWORN to before me this Nov day of 7th, 20 17

[Signature]

Notary Public for Oregon
My Commission Expires: 7/11/2021