

A G R E E M E N T

This Agreement entered into this 6TH day of May, 1966 between Klamath County, 'a political subdivision of the State of Oregon, hereinafter referred to as the "County" and Frank and Angeline Walker Summers, hereinafter referred to as "Owner".

WHEREAS, Owner is the owner of rock located in the following described property:

W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8, Township 35 South,
Range 9 E., W.M.

WHEREAS, the County desires to enter upon said land to remove rock from the premises; therefore in the consideration of \$0.05 per cubic yard of rock removed from the premises by the County, but in no case to be less than \$150.00 in any year that rock is crushed on the property by the County.

The Owner does hereby grant to the County the right to enter upon Owner's land in the location of the old road leading to the existing quarry site and to remove rock from the premises.

The County agrees to install wire gates in all locations where road crosses Owner's fence. The County further agrees to assume any liability for damage or injury due to their operations of removing and hauling rock.

IT IS FURTHER AGREED that payment will be made by the County on a cubic yard basis and a daily yardage record will be kept by the County and made available to the Owner at reasonable times and places and that the quantity of said rock shall be determined by physical measurement of rock in the moving vehicles used to transport rock from the premises.

Payment will be tabulated and remitted to the Owner on a quarterly basis and shall not be less than \$150.00 for any year

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that rock is crushed on the property by the County.

IT IS FURTHER AGREED that this Agreement shall run for a period of five (5) years and that it will run with the land and that the County's right herein set out will not be disturbed by subsequent sale of these premises by Owner.

Witness our hands and seals this 6th day of May, 1966.

KLAMATH COUNTY BOARD OF COMMISSIONERS

Bill Forney
Chairman
Frank F. Ganong
Commissioner
Don Kenyon
Commissioner

Frank Summers
Frank Summers

Angeline Walker Summers
Angeline Walker Summers

STATE OF OREGON)
) ss.
County of Klamath)

Be IT REMEMBERED THAT on this 6 day of May, 1966, before me, the undersigned, appeared Bill Forney, Frank F. Ganong and Don Kenyon, the County Commissioners, respectively to me personally known, who being duly sworn, did say that he the said Bill Forney, is the duly elected, qualified and acting Chairman of the Board of County Commissioners of Klamath County, Oregon, and that they, the said Frank F. Ganong and Don Kenyon are the duly elected, qualified and acting Commissioners, respectively, of said County and State; and that the seal affixed to said instrument is that of said County and State; and said Chairman and said two Commissioners acknowledge said instrument to be the free act and deed of said County.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first in this, my certificate, written.

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Agreement

Vincent M. Lusk
Notary Public for Oregon

My Commission expires March 30, 1969

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STATE OF OREGON, COUNTY OF KLAMATH; ss:
Filed for record at _____ Klamath County _____
this 10 day of May 1966 11:20 A.M., and
duly recorded in Vol. M-66, of Deeds of _____ 5023
By _____
No Fee

Line County

