

30582

EASEMENT

FORM 1069 PAGE 2378

THIS AGREEMENT, made this 28 day of March, 1969, between POPE & TALBOT, INC., hereinafter designated as First Party, and LEONARD LUNDGREN and EVELYN R. LUNDGREN, husband and wife, hereinafter designated as Second Parties, WITNESSETH:

WHEREAS, the SEcond Parties are simultaneously herewith conveying title to the real property located in Klamath County, Oregon, more particularly described on Exhibit "A" attached hereto, and hereby made a part of this Agreement; and

WHEREAS, the Second Parties are the owners of the real property located in Klamath County, Oregon, more particularly described on Exhibit "B" attached hereto and hereby made a part of this Agreement; and

WHEREAS, it is necessary and the parties desire that easements for access, ingress and egress be established over and across the real property described on Exhibit "A" for the use and benefit of the property described on Exhibit "B".

NOW, THEREFORE, IT IS HEREBY AGREED as follows:

1. The Second Parties shall have the permanent right and privilege to use the roads presently located over and across the property described on Exhibit "A" for access, ingress and egress to the property described on Exhibit "B".

2. In addition, the First Party does hereby grant, sell and convey unto the Second Parties, the right and privilege to establish and locate perpetual easements, 60 ft. in width, over and across the property described on Exhibit "A" as reasonably necessary for access, ingress and egress to the property described on Exhibit "B", and to the W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 5, Township 25 South, Range 8, E.W.M. The Second Parties shall have until April 1, 1974 in which to locate said road easements across the property described on Exhibit "A" and in the event the location of any easement proposed by the Second Parties is objectionable to the First Party, the First

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GRAY, FANCHER, HOLMES & HURLEY
1044 BOND STREET
BEND, OREGON

Party will promptly designate the location of a road easement that will provide an equally convenient, reasonable and accessible way of access for the Second Parties.

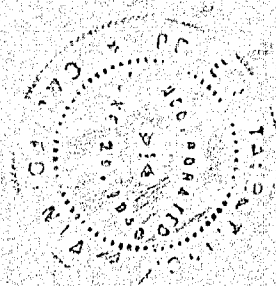
3. After the road easements have been established and located by Second Parties hereunder, Second Parties will furnish First Party with the center-line traverse of each road and the parties will execute such instruments necessary to place the location of said easements on the public record.

4. The First Party further grants the permanent right to the Second Parties to enter upon the property described on Exhibit "A" for the purpose of improving, repairing, and maintaining roadways established hereunder.

5. The easements granted hereunder shall be for the use and benefit of the Second Parties, their heirs successors and assigns, and shall be binding upon the successors and assigns of the First Party.

In the event the First Party acquires the title to the real property described on Exhibit "B" from the Second Parties under the Option Agreement between the parties that terminates on September 1, 1969, the easements granted the Second Parties hereunder shall not be required by Second Parties and shall be extinguished, except the easement for the use and benefit of the W $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 25 South, Range 8 E.W.M., which easement shall continue.

IN WITNESS WHEREOF, THE PARTIES have set their hands the day and year first above written.



POPE & TALBOT, INC.

By: Ray B. Pope VICE-PRESIDENT

By: Asst. Secretary FIRST PARTIES

Leonard Lundgren
Leonard Lundgren

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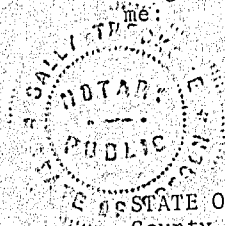
2380

Evelyn R. Lundgren
Evelyn R. Lundgren
SECOND PARTIES

STATE OF OREGON)
County of ~~Deschutes~~ Multnomah) ss.

March 28, 1969.

Personally appeared Guy B. Pope and
G. Pope III who, being duly sworn,
each for himself, did say the former is the Asst. Secretary Vice President
and that the latter is the Asst. Secretary of
POPE & TALBOT, INC., a corporation, and that the seal affixed to the
foregoing instrument is the corporate seal of said corporation and
that said instrument was signed and sealed in behalf of said corpora-
tion by authority of its board of directors; and each of them acknow-
ledged said instrument to be their voluntary act and deed. Before
me:

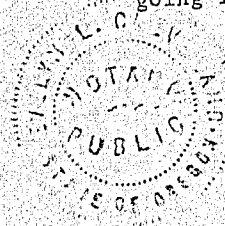


Dolly Tucker
Notary Public for Oregon
My Commission expires: 8/8/69

STATE OF OREGON)
County of Deschutes) ss.

March 28, 1969.

Personally appeared the above-named LEONARD LUNDGREN and
EVELYN R. LUNDGREN, husband and wife, and acknowledged the fore-
going instrument to be their voluntary act. Before me:



Evelyn R. Lundgren
Notary Public for Oregon
My Commission expires: 4/24/72

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BEND, OREGON

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The following described real property in Klamath County, Oregon:

PARCEL 1:

Township 27 South, Range 9 East of the Willamette Meridian:

Section 16: All

PARCEL 2:

Township 25 South, Range 7 East of the Willamette Meridian:

Section 14: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 19: Lot 4, E $\frac{1}{2}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 22: SW $\frac{1}{4}$, E $\frac{1}{2}$

Township 25 South, Range 8 East of the Willamette Meridian:

Section 19: E $\frac{1}{2}$ SW $\frac{1}{4}$
 Section 30: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL 3:

Township 24 South, Range 7 East of the Willamette Meridian:

Section 12: SE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 13: Lots 4, 5, 6, NW $\frac{1}{4}$ SW $\frac{1}{4}$

Township 24 South, Range 7 East of the Willamette Meridian:

Section 14: SE $\frac{1}{4}$, EXCEPT that portion heretofore conveyed to Arthur K. Downs by Deed recorded July 13, 1939, in Deed Volume 123 at page 279.
 Section 35: S $\frac{1}{2}$ S $\frac{1}{2}$

Township 24 South, Range 8 East of the Willamette Meridian:

Section 18: E $\frac{1}{2}$ NW $\frac{1}{4}$, Lot 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 18: SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 19: Lot 1, S $\frac{1}{2}$ Lot 3, Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 22: SE $\frac{1}{4}$
 Section 27: SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
 Section 29: W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$
 Section 31: E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, Lot 2, 3 & 4.
 Section 34: N $\frac{1}{2}$ NE $\frac{1}{4}$

Township 25 South, Range 7 East of the Willamette Meridian:

Section 2: All
 Section 3: NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 10: NE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 11: N $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 12: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 13: NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ EXCEPT that portion heretofore conveyed to Frank Babcock, et ux, by Deed recorded September 20, 1949, in Deed Volume 234 at page 148.

Section 19: NE $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 24: NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$
 Section 27: All
 Section 34: NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

Township 25 South, Range 8 East of the Willamette Meridian:

Section 4: Lots 3, 4
 Section 5: W $\frac{1}{2}$, Lot 1
 Section 6: All
 Section 7: All
 Section 8: NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$
 Section 11: SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 14: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 15: NE $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 18: W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 23: All, Except right of way deeded to State in Deed Book 254 at page 648.

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PARCEL 3 Continued:

Township 25 South, Range 9 East of the Willamette Meridian:

- Section 3: Lot 3, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 6: Lot 5
- Section 8: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 10: NW $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 17: N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
- Section 18: S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 26 South, Range 7 East of the Willamette Meridian:

- Section 2: Lots 2 & 3; S $\frac{1}{2}$
- Section 3: N $\frac{1}{2}$, EXCEPT Lot 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 10: NW $\frac{1}{4}$

Township 26 South, Range 8 East of the Willamette Meridian:

- Section 5: E $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 8: NW $\frac{1}{4}$
- Section 29: E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$

Township 27 South, Range 8 East of the Willamette Meridian:

- Section 21: That portion of W $\frac{1}{2}$ of NW $\frac{1}{4}$ lying East of the present Southern Pacific Railroad right of way; EXCEPT that portion conveyed to the Great Northern Railway Company for right of way and turn-around purposes.

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EXHIBIT "B"

The following described real property in Klamath County, Oregon:

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Township 25 South, Range 7 East of the Willamette Meridian:

Section 34: S $\frac{1}{2}$ NW $\frac{1}{4}$
Section 34: NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 25 South, Range 8 East of the Willamette Meridian:

Section 8: W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 5: Lot 2

Township 26 South, Range 7 East of the Willamette Meridian:

Section 2: Lots 1, 4, S $\frac{1}{2}$ N $\frac{1}{2}$
Section 3: S $\frac{1}{2}$ S $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 4: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

Township 24 South, Range 8 East of the Willamette Meridian:

Section 19: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Lot 2, N $\frac{1}{2}$ Lot 3, N $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

Township 25 South, Range 7 East of the Willamette Meridian:

Section 36: SE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 25 South, Range 8 East of the Willamette Meridian:

Section 30: E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 31: N $\frac{1}{2}$ NW $\frac{1}{4}$

STATE OF OREGON,
County of Klamath

Filed for record at request of

Transamerica Title Ins. Co.

on this 2nd day of April A.D. 19 69

at 11:43 o'clock A. M. and duly

recorded in Vol. 769 of Duels

Page 2578

Wm D. MILNE, County Clerk

By Charles E. Skelton Deputy

Fee 900

Return to:

1st Natl Bk.

960 Wall

Bend, Oregon

attn M.F. Skelton

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