

94909

28-7978  
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## A G R E E M E N T

Agreement made November 6, 1974, between Rodney and Lois Ludtke, husband and wife, of 1130 Monclair Street, City of Klamath Falls, County of Klamath, State of Oregon, and Clara Silliman, of 1140 Monclair Street, City of Klamath Falls, County of Klamath, State of Oregon.

## I

The parties have an interest in adjoining real estate situated in the City of Klamath Falls, County of Klamath, State of Oregon, and described, respectively, as follows:

Rodney Ludtke and Lois Ludtke, husband and wife, own the following real property: The Southwesterly 53 feet of Lot 8, Block 11 HOT SPRINGS ADDITION, in the City of Klamath Falls, Klamath County, Oregon.

Clara Silliman owns the following real property: That por. of Lots 7 & 8 in Blk. 11 in HOT SPRINGS ADDN. to the city of KF, by the rec. plat of sd. Addn. in the office of the Co. Clerk of sd. KC, des. as fol. to-wit:

Beg. at the NEly. cor. of Blk. 11 Hot Springs Addn. to KF, th. SWly. along the Nly. line of Monclair S. 40 ft.; th. NWly. par. with Cross St. 100 ft. more or less, to the rear line of Lot 8 Blk. 11; Th. NEly. along the rear line of Lots 7 & 8, Blk. 11 par. with Monclair St. 40 ft. to the SWly. line of Cross St.; th. SEly. along the line of Cross St. 100 ft. more or less, to the pt. of beg. Also a four ft. tract on the S. side of sd. pro. des. in deed rec. in Vol. 76 at pg 389 Deed Rec. of KCO & to which reference is hereby made.

## II

The parties to this agreement desire to create a common driveway between the above-described adjoining lots and further to create a common wall between the adjoining garages situated on the boundary line of the above-described adjoining lots

GARY L. HEDLUND  
ATTORNEY AT LAW  
112 NORTH 5TH STREET  
SUITE 2  
KLAMATH FALLS, ORE.  
97601

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1 owned by them for the benefit of each of them.

2 The parties agree as follows:

3 1) An easement for a common driveway in favor of the lot  
4 owned by Rodney Ludtke and Lois Ludtke, husband and wife, and  
5 described above, is created over the strip of land four feet in  
6 width along the Westerly boundary line of the lot owned by Clara  
7 Silliman and described above, and an easement for a common drive-  
8 way is created in favor of the said lot owned by Clara Silliman  
9 over the strip of land four feet in width along the Easterly  
10 boundary of the lot owned by Rodney Ludtke and Lois Ludtke,  
11 husband and wife, and described above, for the purpose of creat-  
12 ing a common driveway eight feet in width for the benefit of  
13 both of the above-described lots.

14 2) An easement for a party wall is created in favor of  
15 the said lot owned by Rodney Ludtke and Lois Ludtke, husband and  
16 wife, between the adjoining garages of Rodney and Lois Ludtke  
17 and Clara Silliman, and lying along the Westerly boundary line  
18 of the said lot owned by Clara Silliman, and along the Easterly  
19 boundary line of the said lot owned by Rodney and Lois Ludtke,  
20 husband and wife; An easement for a party wall is created in  
21 favor of the said lot owned by Clara Silliman over the garage  
22 wall eighteen feet in length situated between the adjoining  
23 garages of Rodney and Lois Ludtke, husband and wife, and Clara  
24 Silliman and lying along the Westerly boundary line of the said  
25 lot owned by Clara Silliman and along the Easterly boundary line  
26 of the said lot owned by Rodney and Lois Ludtke, husband and wife.

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1 The easements created are for the purpose of establishing a  
2 party wall eighteen feet in length between the adjoining garages  
3 of the respective parties for the benefit of both of the above-  
4 described lots.

5 This easement is superior and paramount to the rights of  
6 any of the parties hereto in the respective servient estates so  
7 created, and the parties further agree that it is a covenant  
8 that shall run with the land.

9 IN WITNESS WHEREOF, the parties hereto have executed this  
10 agreement at Klamath Falls, Oregon, the day and year first above  
11 written.

12  
13 Rodney Ludtke  
14 Rodney Ludtke

15 Lois Ludtke  
16 Lois Ludtke

17 Clara Silliman  
18 Clara Silliman

19 SUBSCRIBED AND SWORN TO before me this 6th day of  
20 November, 1974.

21 [Signature]  
22 Notary Public for Oregon  
23 My Commission Expires: 9-11-78  
24  
25  
26

GARY L. HEOLUNE  
ATTORNEY AT LAW  
112 NORTH 5TH STREET  
SUITE 2  
KLAMATH FALLS, ORE.  
97603

After recording return  
to: Mr. & Mrs. Rodney Ludtke  
Page 3  
Agreement 1130 Monclair

STATE OF OREGON; COUNTY OF KLAMATH; ss.  
Filed for record at request of TRANSAMERIT A TITLE INS. CO.  
this 18th day of November A.D., 19 74 at 10:35 o'clock A.M., and duly recorded in  
Vol. M 74 of DEEDS on Page 14780

FEE \$ 6.00

WM. D. MILNE, County Clerk

By [Signature] Deputy

RECEIVED NOV 18 1974  
11/15

for the sum  
in lawful money  
and agrees to  
upon the expiration  
of installments