

03-10416

38-10481

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21061

EASEMENT AGREEMENT

THIS AGREEMENT made and entered into this 1st day of July, 1976, by and between EARL A. SCHORTGEN and MURIEL V. SCHORTGEN, husband and wife, hereinafter referred to as Schortgens, WAYNE N. CAROTHERS and LUDIE M. CAROTHERS, husband and wife, hereinafter referred to as Carothers, and FREDERICK D. EHLERS,

WITNESSETH:

WHEREAS, Shortgens are the owners of the following-described real property situated in Klamath County, Oregon:

The North 50 feet of Lot 7, Section 12, Township 38 South, Range 8, E. W. M.;

and

WHEREAS, Carothers are the record owners of the following-described real property situated in Klamath County, Oregon:

The South one-half of Lot 6, Section 12, Township 38 South, Range 8, E. W. M.;

and

WHEREAS, Frederick D. Ehlers and Charles C. Ehlers are purchasing the Carothers' property on a contract of sale; and

WHEREAS, Charles C. Ehlers has transferred his interest in the following portion of the Carothers' property to Frederick D. Ehlers, to-wit:

A parcel of land situated in the South one-half of Lot 6, Section 12, Twp. 38 S., R. 8, E.W.M., Klamath County, Oregon, more particularly described as follows:

Beginning at the iron pipe marking the Southeast corner of the North one-half of Lot 6 as referred to in Volume M69, Page 9509 Deed Records of Klamath County, Oregon; thence North 89°32'23" West - 914.77 feet along the South boundary of the North one-half of said Lot 6 to a 5/8 inch iron rod (this same boundary line recited in above Volume M69, Page 9509, and on Map of Survey No. 471, as bearing North 89°54' West); thence South 17°24'31" East 350.98 feet to a 5/8 inch iron rod marking the true point of beginning of this description; thence continuing South 17°24'31" East 350.98 feet to a 5/8 inch iron rod on the South boundary of said Lot 6; thence North 89°40'52" West along the South boundary of said Lot 6 a distance of 914.04 feet to a 5/8 inch iron rod at the high water line of Upper Klamath Lake; thence North 24°06'06" West along the high water line of Upper Klamath Lake a distance of 368.55 feet to a 5/8 inch iron rod; thence South 89°36'20" East - 959.54 feet to the true point of beginning, containing 7.20 acres more or less;

and

WHEREAS, the parties wish to execute mutual easements over their respective properties;

GANDONG & SISEMORE
Attorneys at Law
540 Main Street
KLAMATH FALLS, ORE.
97601

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Return : FFS+L

540 main

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1 NOW THEREFORE, in consideration of these premises, it is mutually agreed by
2 and between the parties as follows:

3 Shortgens hereby grant and convey unto Frederick D. Ehlers a non-exclusive,
4 perpetual 20 foot easement for ingress and egress, the center of which will be
5 as far as practical on the center of the existing road on the West end of the
6 following-described parcel of real property situated in Klamath County, Oregon:

7 The North 50 feet of Lot 7, Section 12, Township
8 38 South, Range 8, E. W. M.

9 For the use and benefit of the following described real property:

10 A parcel of land situated in the South one-half of Lot 6, Section 12,
11 Twp. 38 S., R. 8, E.W.M., Klamath County, Oregon, more particularly
12 described as follows:

13 Beginning at the iron pipe marking the Southeast corner of the North
14 one-half of Lot 6 as referred to in Volume M69, Page 9509 Deed Records
15 of Klamath County, Oregon; thence North 89°32'23" West - 914.77 feet
16 along the South boundary of the North one-half of said Lot 6 to a 5/8
17 inch iron rod (this same boundary line recited in above Volume M69, Page
18 9509, and on Map of Survey No. 471, as bearing North 89°54½' West);
19 thence South 17°24'31" East 350.98 feet to a 5/8 inch iron rod marking
20 the true point of beginning of this description; thence continuing South
21 17°24'31" East 350.98 feet to a 5/8 inch iron rod on the South boundary
22 of said Lot 6; thence North 89°40'52" West along the South boundary of
23 said Lot 6 a distance of 914.04 feet to a 5/8 inch iron rod at the high
24 water line of Upper Klamath Lake; thence North 24°06'06" West along the
25 high water line of Upper Klamath Lake a distance of 368.55 feet to a 5/8
26 inch iron rod; thence South 89°36'20" East - 959.54 feet to the true
27 point of beginning, containing 7.20 acres more or less.

28 Carothers and Frederick D. Ehlers do hereby grant and convey unto Earl
29 Albert Schortgen and Betty Lorraine Ward a non-exclusive, perpetual 20 foot
30 easement for ingress and egress the center of which will be as far as practical
31 on the center of the existing road across the West end of the following-des-
32 cribed real property situated in Klamath County, Oregon:

33 A parcel of land situated in the South one-half of Lot 6, Section 12,
34 Twp. 38 S., R. 8, E.W.M. Klamath County, Oregon, more particularly
35 described as follows:

36 Beginning at the iron pipe marking the Southeast corner of the North
37 one-half of Lot 6 as referred to in Volume M69, Page 9509 Deed Records
38 of Klamath County, Oregon; thence North 89°32'23" West - 914.77 feet
39 along the South boundary of the North one-half of said Lot 6 to a 5/8
40 inch iron rod (this same boundary line recited in above Volume M69, Page
41 9509, and on Map of Survey No. 471, as bearing North 89°54½' West);
42 thence South 17°24'31" East 350.98 feet to a 5/8 inch iron rod marking
the true point of beginning of this description; thence continuing South
17°24'31" East 350.98 feet to a 5/8 inch iron rod on the South boundary
of said Lot 6; thence North 89°40'52" West along the South boundary of
said Lot 6 a distance of 914.04 feet to a 5/8 inch iron rod at the high
water line of Upper Klamath Lake; thence North 24°06'06" West along the
high water line of Upper Klamath Lake a distance of 368.55 feet to a 5/8
inch iron rod; thence South 89°36'20" East - 959.54 feet to the true
point of beginning, containing 7.20 acres more or less;

For the use and benefit of the following-described real property:

The South one-half of Lot 5, Section 12, Township
38 South, Range 8, E. W. M.;

It is understood and agreed by and between the parties that there shall be
excepted from the 20 foot easements granted herein any space occupied by struc-
tures or buildings that were in existence on January 1, 1976.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and
year first mentioned above.

Earl A. Schortgen
Earl A. Schortgen

Muriel V. Schortgen
Muriel V. Schortgen

Wayne N. Carothers
Wayne Carothers

Ludie M. Carothers
Ludie M. Carothers

Frederick B. Ehlers
Frederick B. Ehlers

STATE OF CALIFORNIA)
County of Solano) SS

On this 27th day of August, 1976, personally appeared the above-named Earl A.
Schortgen and Muriel V. Schortgen, husband and wife, and acknowledged the fore-
going instrument to be their voluntary act and deed.

Before me:



OFFICIAL SEAL
GENEVIEVE M. KOTWITZ
NOTARY PUBLIC - CALIFORNIA
SOLANO COUNTY
My Commission Expires Jan. 20 1977

Genevieve M. Kotwitz
Notary Public for California

My Commission Expires: Jan. 20 1977
126 Tennessee Street Vallejo, CA. 94590

STATE OF OREGON)
County of Klamath) SS

On this 7 day of Sept, 1976, personally appeared the above-named Wayne
N. Carothers and Ludie M. Carothers, husband and wife, and acknowledged the
foregoing instrument to be their voluntary act and deed.

Before me:

James D. Bacchi
Notary Public for Oregon
10-25-78

(SEAL)
My Commission Expires:

STATE OF OREGON)
County of Klamath) SS

On this 1 day of Sept, 1976, personally appeared the above-named
Frederick D. Ehlers and acknowledged the foregoing instrument to be his volun-
tary act and deed.

Before me:

William J. [Signature]
Notary Public for Oregon

(SEAL)
My Commission Expires: Oct 8, 1978

GANONG & SISEMORE
Attorneys at Law
540 Main Street
KLAMATH FALLS, ORE.
97601

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STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 2nd day of
NOVEMBER A.D., 19 76 at 12:46 o'clock P.M., and duly recorded in Vol 17379
of DEEDS on Page 17379

FEE 9.00

WM. D. MILNE, County Clerk

By Hazel [Signature] Deputy