

## EASEMENT AND RIGHT OF WAY AGREEMENT

1  
2 THIS INDENTURE, made and entered into this 70 day of  
3 February, 1977, by and between WILLIAM L. GARRIOTT, JR., and JUDIE  
4 C. GARRIOTT, husband and wife, hereinafter referred to as "GRANTORS"  
5 and, JAMES M. BARNES and PEGGY BARNES, husband and wife, and,  
6 WILLIAM GARRIOTT, SR., and ALLISON GARRIOTT, husband and wife, all  
7 hereinafter referred to as "GRANTEES",

## WITNESSETH:

8  
9 For and in consideration of the covenants of the parties herein  
10 contained and other valuable consideration GRANTORS hereby grant  
11 unto GRANTEES a perpetual easement in, to, upon and over the pre-  
12 sently existing roadway located in Klamath County, Oregon, and  
13 described as follows:

14 That presently existing gravel surface roadway commencing  
15 at the Northwest corner of Section 4, Township 41 South,  
16 Range 10 E.W.M., bearing in a Southeasterly direction  
through the NW 1/4 NW 1/4 of said Section 4;

17 Said easement being for the purpose of ingress and egress over  
18 and upon said roadway, provided, however, that this easement shall  
19 not be considered exclusive.

20 GRANTEES hereby covenant to and with GRANTORS that they will  
21 at all times during their use of said roadway share in the expense  
22 of maintaining and repairing same commensurate and proportionate  
23 to their use thereof.

24 This agreement shall be binding upon and inure to the benefit  
25 of the parties hereto, their heirs, successors and assigns.

26 WITNESS the hands of the parties the day and year first here-

PRENTISS K. PUCKETT, P.C.  
ATTORNEY AT LAW  
FIRST FEDERAL SAVINGS  
& LOAN BUILDING  
KLAMATH FALLS, ORE.



1 in above written.

2 William L. Garriott, Jr.  
William L. Garriott, Jr.

3 Judie C. Garriott  
Judie C. Garriott

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8 STATE OF OREGON )  
County of Klamath ) ss.

9

10 Personally appeared the above named WILLIAM L. GARRIOTT, JR.,

11 and JUDIE C. GARRIOTT, husband and wife, and acknowledged the fore-  
going instrument to be their voluntary act and deed.

12 BEFORE ME:

13 Notary Public for Oregon  
My Commission expires: 9-26-77

14

15 STATE OF OREGON )  
County of Klamath ) ss.

16

17 Personally appeared the above named JAMES M. BARNES and PEGGY

18 BARNES, husband and wife, and, WILLIAM GARRIOTT, SR., and ALLISON

19 GARRIOTT, husband and wife, and acknowledged the foregoing instru-  
ment to be their voluntary act and deed.

20 BEFORE ME:

21 Notary Public for Oregon  
My Commission expires: 9-26-77

22

23 STATE OF OREGON; COUNTY OF KLAMATH; ss.

24 this 22nd day of February 77 at 4:40 P M.

25 duly recorded in Vol. M77, of Deeds on Page 3132

26

PRENTISS K. FUCKETT, P.C.  
ATTORNEY AT LAW  
FIRST FEDERAL SAVINGS  
& LOAN BUILDING  
KLAMATH FALLS, ORE.

Fee \$6.00

Wm D. MILNE, County Clerk

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