

32904

MTC 3559/Gl. M Page 13055

EASEMENT AND RIGHT OF WAY AGREEMENT

1 THIS INDENTURE, made and entered into this 27th day of
2 May, 1977, by and between Philip B. Scott, and Catherine
3 B. Scott, husband and wife, hereinafter referred to as "GRANTEES" and,
4 James M. Barnes and Peggy Barnes, husband and wife, and, William Garriott,
5 Sr., and Allison Garriott, husband and wife, all hereinafter referred to
6 as "GRANTORS".

WITNESSETH:

7
8 For and in consideration of the covenants of the parties herein
9 contained and other valuable consideration GRANTORS hereby grant unto
10 GRANTEES a perpetual easement in, to, upon and over the presently
11 existing roadway located in Klamath County, Oregon, and described as
12 follows:

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

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

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

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

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

25
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in above written.

Philip B. Scott

Catherine B. Scott

James M. Barnes

Peggy Barnes
Peggy Barnes

William Garriott, Sr.
William Garriott, Sr.

Allison Garriott

STATE OF OREGON)
) ss.
County of Klamath)

May 27, 1977

Personally appeared the above named PHILIP B. SCOTT and CATHERINE B. SCOTT, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

Notary Public for Oregon

My Commission expires: 2-24-80

STATE OF OREGON)
) ss.
County of Klamath)

1977

Personally appeared the above named JAMES M. BARNES and PEGGY BARNES, husband and wife, and WILLIAM GARRIOTT, SR., and ALLISON GARRIOTT, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

Notary Public for Oregon

My Commission expires:

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Return to: Philip B Scott
Rt 1 Box 635-F
Klamath Falls, Ore.

STATE OF OREGON; COUNTY OF KLAMATH; ss. .

I hereby certify that the within instrument was received and filed for record on the 22 day of July A.D., 19 77 at 10:17 o'clock A.M., and duly recorded in Vol. 1177, of Deeds on Page 13055.

FFF \$6.00

WM. D. MILNE, County Clerk

By Pgt McCullough Deputy