

33716

EASEMENT

Vol. 77 Page 14275

For Automobile Runway, Adjoining Parcels (Grant Type)

THIS AGREEMENT, Made and entered into this 28 day of May, 19 77,
between James and Cora Rogers

hereinafter called the first parties, and Emmaline and Robert Oates, Kenneth M. and Valerie R. Ambers, Darwin Robnett and Ronald Kirkpatrick and Theodore Kirkpatrick

hereinafter called the second parties, WITNESSETH:

WHEREAS, the first parties are the owners in fee simple of

James and Cora Rogers as Parcel 1, Exhibit A, attached

County, Oregon, and the second parties are the owners in fee simple of

~~Emmaline and Robert Oates as Parcel 2, Exhibit A, attached~~
Kenneth M. and Valerie R. Ambers as Parcel 3, Exhibit A, attached.
Darwin Robnett and Theodore Kirkpatrick and Ronald Kirkpatrick as Parcel 4,
attached

County, Oregon, and said two parcels of real estate adjoin each other; and

WHEREAS, the parties desire to grant to each other an easement and right to use a certain automobile runway now or about to be constructed along the property line of the first parties' property and the property line of the second parties' property;

~~NOW, THEREFORE, in consideration of the sum of One Thousand Dollars (\$1,000.00) to each party hereunto by cash paid in hand paid the receipt of which is hereby acknowledged~~

FIRST: The first parties have sold and do hereby grant, ~~transfer~~ and convey unto the second parties, their heirs and assigns, the right to use at all times the whole of said automobile runway, including that portion thereof situated on the fifteen feet of the said property of the first parties, said use to be confined to the ingress and egress of automobiles to and from the garage now situated or hereafter to be constructed on the second parties' property and the uses incidental thereto.

TO HAVE AND TO HOLD the same unto the said second parties, their heirs and assigns forever.

SECOND: The second parties have sold and do hereby grant, ~~transfer~~ and convey unto the first parties, their heirs and assigns, the right to use at all times the whole of said automobile runway including that portion thereof now situated on the fifteen feet of said property of the second parties, said use to be confined to the ingress and egress of automobiles to and from the garage now situated or hereafter to be constructed on the first parties' property and the uses incidental thereto.

TO HAVE AND TO HOLD the same unto the said first parties, their heirs and assigns forever.

THIRD: In construing the foregoing agreement, the plural shall mean and include the singular wherever the context so requires.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals in duplicate on this day and year first hereinabove written.

James Rogers
Cora Rogers

(SEAL)

(SEAL)

(SEAL)

(SEAL)

11270

STATE OF OREGON,

County of

ss.

BE IT REMEMBERED, That on this day of, 19....., before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named

known to me to be the identical individual..... described in and who executed the within instrument and acknowledged to me that..... executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public for Oregon.
My Commission expires

EASEMENT

(FORM No. 668)

BETWEEN

AND

STATE OF OREGON,

County of

I certify that the within instrument was received for record on the day of, 19....., at o'clock M., and recorded in book on page of Record of said County.

Witness my hand and seal of County affixed.

Title.

By

Deputy.

STEVENS-HES LAW PUB. CO., PORTLAND, ORE.

James H. Hagen
1914 12 13
Charlotte, Ore.

EXHIBIT "A"

Easement for ingress and egress over and for the benefit of the following described property situated in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, all in Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon:

Easement to be 30 feet in width lying South of and adjoining the North line of Lot 17 lying East of Highway 97 and 15 feet on each side of the section line between Sections 27 and 28 beginning at the Northeast corner of Lot 17, Section 27, and South along said line 528 feet to the terminus of said easement: SUBJECT TO the right of way of Indian Service Route S-43. Terminated & vested in Rogers, 2 Oct 1969.

PARCEL 1: A tract of land situated in Lots 17 and 24, Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning on the East boundary line of Lot 24, which point is 1860 feet North of the corner common to Sections 27, 28, 33 and 34; thence North 89° 49' West, 597.4 feet; thence North 8° 41' West, 723.3 feet to the South line of Indian Service Route S-43; thence West to East right of way line of Highway 97; thence Northwesterly along said line to the North line of Lot 17; thence East along said line to the Northeast corner of Lot 17; thence South along said East line and the East line of Lot 24 to the point of beginning.

~~PARCEL 2: A portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:~~

~~Beginning at the one quarter common to Sections 27 and 28, said Township and Range; thence East, parallel with the South line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 330.0 feet; thence South, parallel with the West line of said Section 27, a distance of 132.0 feet; thence West, parallel with the South line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, a distance of 330.0 feet to the West line of said Section 27; thence North, along said West line, a distance of 132.0 feet to the point of beginning. SUBJECT TO right of way for that certain roadway known as UNITED STATES INDIAN SERVICE Route No. S-43, and to any other rights of way heretofore conveyed or apparent on the ground.~~

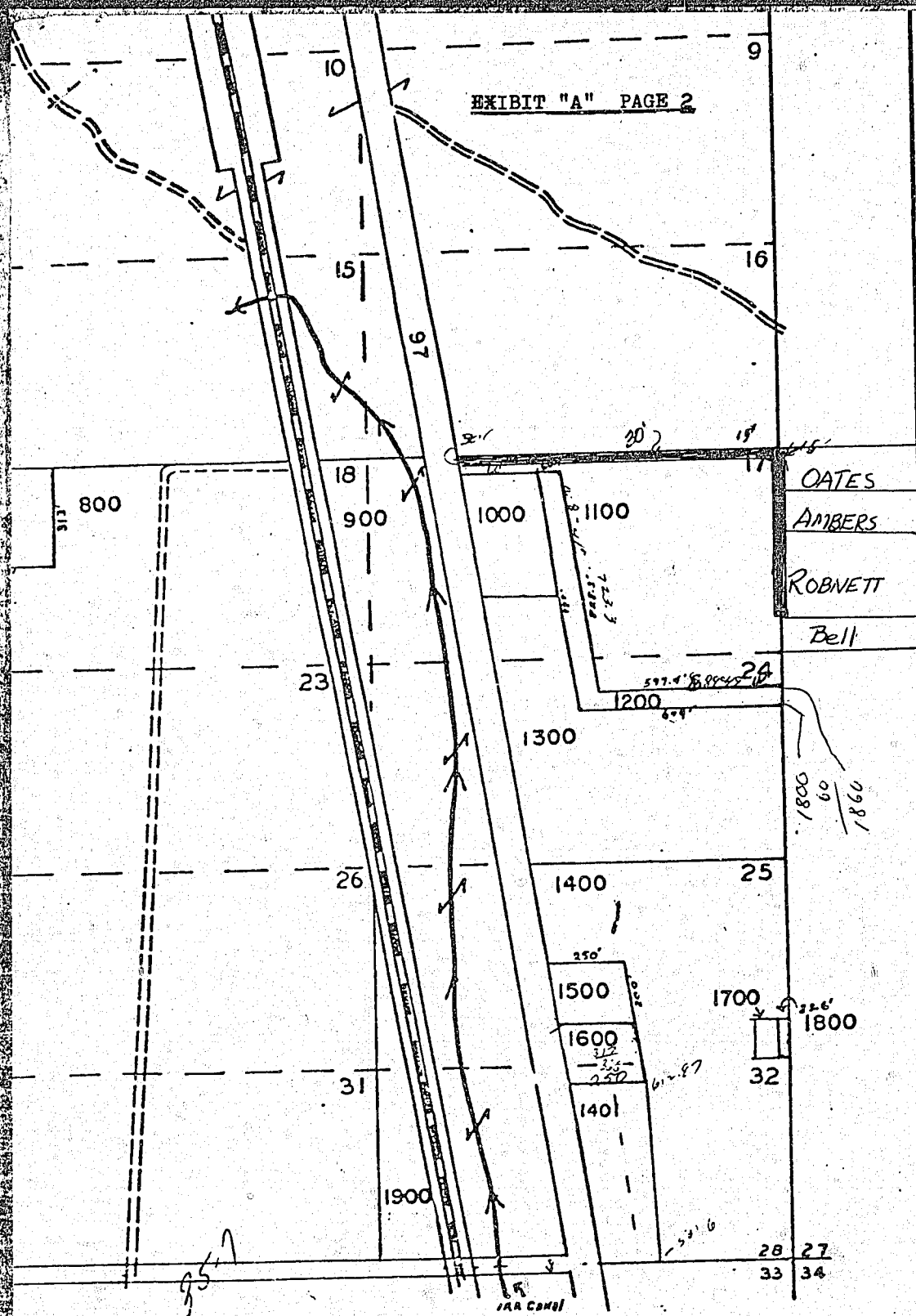
PARCEL 3: A parcel of land lying in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27, Township 35 South, Range 7 East of the Willamette Meridian, described as follows:

Beginning at a point on the West line of said NW $\frac{1}{4}$ of SW $\frac{1}{4}$ 132 feet South from the Northwest corner thereof; thence East 330 feet parallel to the North line of said subdivision; thence South 132 feet parallel to the West line of said subdivision; thence West 330 feet parallel to the North line of said subdivision to a point on the West line of said subdivision; thence North on said West line 132 feet to the point of beginning.

PARCEL 4: A tract of land located in the West $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 27, Township 35 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

From West $\frac{1}{2}$ corner of Section 27, South along section line 264 feet to a steel pin, the point of beginning, East 330 feet, then South along line parallel with Section Line 27, 264 feet to a pin, then West 330 feet to a pin in section line 27, then North along Section 27, 264 feet to the point of beginning.

17278



I hereby certify that the within instrument was received and filed for record on the 8 day of August, A.D., 19 77 at 2:33 o'clock P.M., and duly recorded in Vol. 1177, of Deeds on Page 11275.

WM. D. MILNE, County Clerk

FEE \$9.00

WM. D. MILNE, County Clerk
By A. J. [Signature] Deputy