

37320

EASEMENT

WHEREAS, ARTHUR F. STEINER and VELMA L. STEINER, husband and wife, own the following real property situated in Klamath County, Oregon:

Lots 9, 10, 11 and 12 of Pondosa, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon,

AND WHEREAS, DENNIS F. HOOD and LORETTA M. HOOD, husband and wife, are the owners of the following real property situated in Klamath County, Oregon:

SEE EXHIBIT A

and the following real property situated in Klamath County, Oregon:

SEE EXHIBIT B

AND WHEREAS DENNIS F. HOOD and LORETTA M. HOOD, herein-after referred to as HOOD, require an easement across a portion of Lot 10 of the aforescribed real property owned by ARTHUR F. STEINER and VELMA L. STEINER, hereinafter referred to as STEINER, and their property hereinafter referred to as the STEINER PROPERTY.

IN CONSIDERATION OF the sum of Ten Dollars (\$10.00) STEINER conveys to HOOD, his heirs, successors and assigns, a perpetual non-exclusive easement to use the following part of his property:

SEE EXHIBIT C

1. USE: GRANTEE, his agents, independent contractors and invitees shall use the easement for road purposes only for access to the property above described owned by HOOD, hereinafter

Easement - Page 1

AFTER RECORDING RETURN TO:
JERRY MOLATORE
426 MAIN ST.
KLAMATH FALLS OR.

19630

1 REFERRED TO AS THE HOOD PROPERTY, and in conjunction with such use
2 may construct, reconstruct, maintain and repair a road on said
3 easement.

4 2. GRANTOR'S USE: GRANTOR reserves the right to use,
5 construct, reconstruct and maintain the road located upon the ease-
6 ment. The parties shall cooperate during periods of joint use so
7 that each parties use shall cause minimum of interference to the
8 other.

9 3. APPURTENANT: This easement is appurtenant to the
10 real property owned by HOOD and described above. In the event of
11 any subdivision or sale of any portion of such property this ease-
12 ment shall remain appurtenant to any subdivided or sold parcel.
13 All such sold or subdivided parcels and the remaining parcels shall
14 have the right of use of the easement as described above.

15 4. Notwithstanding anything to the contrary above men-
16 tioned, the use of this easement shall be for residential use only.

17 5. Notwithstanding anything to the contrary above men-
18 tioned, GRANTEE shall make all necessary repairs on the road, at
19 GRANTEE'S expense.

20 IN WITNESS WHEREOF, the parties have caused this instru-
21 ment to be executed this ^{October} 10 day of March, 1977.

22 Arthur F. Steiner
23 Arthur F. Steiner

24 Velma L. Steiner
25 Velma L. Steiner

26 Dennis F. Hood
Dennis F. Hood

Loretta M. Hood
Loretta M. Hood

1 STATE OF OREGON }

ss.

19631

2 County of Klamath }

3 On this 12th day of May, 1977, personally appeared before
4 me the above named LORETTA M. HOOD who is known to me to be the
5 individual described therein, and who acknowledged to me that she
6 executed the within instrument freely and voluntarily.

7 Joanne Matthews
8 NOTARY PUBLIC FOR OREGON
9 My Commission Expires 03-10-81

10 STATE OF OREGON }

ss.

11 County of Klamath }

12 On this 14th day of Oct, 1977, personally appeared
13 before me the above named DENNIS F. HOOD who is known to me to be
14 the individual described therein, and who acknowledged to me that
15 he executed the within instrument freely and voluntarily.

16 Joanne Matthews
17 NOTARY PUBLIC FOR OREGON
18 My Commission Expires: 8-11-78

19 STATE OF OREGON }

ss.

20 County of Klamath }

21 On this 26th day of May, 1977, personally appeared
22 before me the above named ARTHUR F. STEINER AND VELMA L. STEINER,
23 who are known to me to be the individuals described therein, and
24 who acknowledged to me that they executed the within instrument
25 freely and voluntarily.

26 Joanne Matthews
27 NOTARY PUBLIC FOR OREGON
28 My Commission Expires: 03-10-81

19632

EXHIBIT A

A portion of Lot 19 of PONDOSA SUBDIVISION, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon, more particularly described as follows:

Beginning at the Southwest Corner of Lot 19; thence North 89°56' East along the South line of said Lot 19, 385.40 feet; thence North 00°10' East, 864.39 feet to the Southerly line of Harkens Drive; thence North 32°20' West, 410 feet to the Southerly line of the Klamath Falls-Ashland Highway; thence South 57°40' West along said Highway 200 feet to the West line of said Lot 19; thence South 00°08'12" East, 1104.30 feet (South 00°07' West, 1109 feet by plat) to the point of beginning.

Easement - Exhibit A

JERRY MOLATORE
ATTORNEY AT LAW
325 MAIN STREET
SUITE A
KLAMATH FALLS,
OREGON 97601
503/884-2030

19633

EXHIBIT B

A tract of land situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 1, Township 40 South, Range 7 E. W. M., Klamath County, Oregon, being a portion of Lot 19, PONDOSA, a duly recorded subdivision, more particularly described as follows: Beginning at a 5/8 inch iron pin on the South line of the NE $\frac{1}{4}$ of said Section 1, said point being N 89°56'00" E 385.40 feet from the center one-quarter corner of said Section 1; thence N 00°01'00" East 864.39 feet to the Westerly right of way line of Harkens Drive, said point being the beginning of a curve to the left (radius point bears North 57°40'00" East 80.00 feet, central angle-90°); thence along the arc of said curve 125.66 feet to the end of said curve; thence N 57°40'00" East along the Southeasterly right of way line of said Harkens Drive 426.32 feet; thence South 00°01'00" West 1067.05 feet to the South line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1; thence South 89°56'00" West 470.55 feet to the point of beginning, containing 10.00 acres, with the bearings based on the said PONDOSA subdivision.

Easement - Exhibit B

JERRY MOLATORE
ATTORNEY AT LAW
325 MAIN STREET
SUITE A
KLAMATH FALLS,
OREGON 97601
503/884-2030

19634

EXHIBIT C

Beginning at the most westerly corner of said Lot 10;
thence South 32°20'East, along the Southwesterly line of said
Lot, a distance of 16.0 feet; thence along the arc of a 90° curve
to the right, having a radius of 16 feet, to a point on the North-
erly line of said Lot 10; thence South 57°40'West, along said line
a distance of 16.0 feet to the point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record ~~XXXXXX~~ ^{4:17}
this 13th day of OCTOBER A. D. 1977 at 4:17 o'clock PM., and
duly recorded in Vol. 477, of DEEDS on Page 19629

FEE \$ 18.00

Wm D. MILNE, County Clerk

By Bernetha H. Hetch

JERRY MOLATORE
ATTORNEY AT LAW
325 MAIN STREET
SUITE A
KLAMATH FALLS,
OREGON 97601
503/884-2030