

THIS AGREEMENT made and entered into this 6th day of April, 1978, by the undersigned LYLE H. BOZARTH and JOANN T. BOZARTH, husband and wife, their heirs, successors and assigns, a perpetual right of ingress and egress to all future property owners along and upon existing means of access, and in particular that road crossing said property as of the date of this conveyance and right of way across the following described real property:

See attached Exhibit "A" and by this reference incorporated herein as if fully set forth.

Said right of ingress and egress and right of way shall be for the benefit and use of all future property owners, their heirs, successors and assigns, and shall run with the land in which they have an interest, and that no party of interest shall install either a gate, chain or other obstruction that will prevent or interfere with future parties from a full use of the easement hereby granted.

This easement is appurtenant to the real property owned by grantors and described herein.

Grantors reserve the right to use said road for purposes of access. Except as to the rights herein granted, the grantors shall have the full use and control of the above described real estate.

This easement is granted subject to all prior easements or encumbrances of record.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but also their respective heirs, executors, administrators and successors in interest as well.

In construing this agreement and where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter; and generally, all changes shall be made or implied so that this instrument shall apply both

to individuals and to corporations.

IN WITNESS WHEREOF, the parties hereto have subscribed this instrument in duplicate on this, the day and year first hereinabove written.

*Lyle H. Bozarth*  
 \_\_\_\_\_  
 LYLE H. BOZARTH

*Joann T. Bozarth*  
 \_\_\_\_\_  
 JOANN T. BOZARTH

STATE OF OREGON     )  
                               ) ss.  
 County of Klamath )

April 6, 1978

Personally appeared the above named LYLE H. BOZARTH and JOANN T. BOZARTH, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

*Marlene D. Adkins*  
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 Notary Public for Oregon  
 My Commission Expires 8-27-86

Return To:

T/A

Attn: Marlene



S 1/2 SW 1/4 of Section 3, SE 1/4 SE 1/4 of Section 4, NW 1/4 NW 1/4, N 1/2 of SW 1/4 of NW 1/4, NE 1/4 of NW 1/4 and SE 1/4 of NW 1/4 of Section 10, all in Township 39 South, Range 11 East of the Willamette Meridian;

EXCEPT THEREFROM that portion described as follows:

The following tract of land located in the NW 1/4 of Section 10, Township 39 South, Range 11 East of the Willamette Meridian.

Beginning at the Southwest corner of the N 1/2 SW 1/4 NW 1/4, Section 10; thence North along the West boundary line of said Section 730 feet to a point; thence East 730 feet; thence South 730 feet; more or less, to a point on the South line of the N 1/2 SW 1/4 NW 1/4; thence West to the point of beginning.

ALSO EXCEPT THEREFROM that portion described as follows:

A parcel of land situate in the SW 1/4 NE 1/4 and SE 1/4 NW 1/4 of Section 10, Township 39 South, Range 11 East of the Willamette Meridian, being more particularly described as follows:

Beginning at the iron pin marking the center of Section 10, Township 39 South, Range 11 East of the Willamette Meridian, said pin being also the Northwest corner of East Bonanza Addition to the City of Bonanza, Klamath County, Oregon; thence North along the West right of way of West Avenue 30.0 feet; thence East along the North right of way of Morine Avenue 137.9 feet; thence North 110.0 feet; thence West 217.95 feet to the centerline of a drain; thence South 11° 56' West along the centerline of said drain 143.1 feet to the East-West centerline of said Section 10; thence East along the said centerline of said Section 10, 109.64 feet to the point of beginning.

ALSO EXCEPT a tract of land situated in the SE 1/4 NW 1/4 of Section 10, Township 39 South, Range 11 East of the Willamette Meridian, more particularly described as follows:

Beginning at a point on the North-South center section line of said Section 10, from which the North 1/4 corner of said Section 10 bears North 00° 02' 06" West 1997.28 feet; thence South 19° 16' 22" West, along the drain ditch, 530.67 feet to the Northwesterly corner of D.V. 353, Page 253, as recorded in the Klamath County Deed Records; thence South 89° 30' 16" East, along the North line of said deed volume, 20.44 feet to a 1/2 inch iron pipe; thence continuing along said line 155.03 feet to the North-South center section line of said Section 10; thence North 00° 02' 06" West 443.91 feet to a 5/8 inch iron pin; thence continuing North 00° 02' 06" West 58.53 feet to the point of beginning.

### EXHIBIT "A"

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Co.

this 7th day of April A.D. 1978 at 9:00 o'clock A.M., on

fully recorded in Vol. M78, of Deeds on Page 6692

Wm D. MILNE, County Clerk

By L. J. Selbach

Fee \$9.00

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