

3/28/78

47925

Vol. ^m 78 Page 9591

Highway Division
File 49850
M-2298 (2)

ORIGINAL

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That KLAMATH FALLS, KOA., INC., an Oregon corporation; JEAN W. REED and MARY A. REED, husband and wife, Grantors for the consideration of the sum of Seven Hundred Seventy Five and No/100 DOLLARS (\$775.00) received, do hereby grant to KLAMATH COUNTY, a political subdivision of the State of Oregon, Grantee, a perpetual easement for the construction and maintenance of a retaining wall over, across and upon the following described property, to wit:

A parcel of land lying in the SE $\frac{1}{4}$ of Section 34, Township 38 South, Range 9 East, W.M., Klamath County, Oregon and being a portion of that property described in that deed to Klamath Falls KOA, Inc., recorded in Book M-75, Page 15218 of Klamath County Record of Deeds; the said parcel being that portion of said property included in a strip of land 35 feet in width, lying on the Northernly side of the center line of Shasta Way as said Shasta Way has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station 44+15, at which station the Westerly line of said strip of land lies at right angles to said center line, said station being 29.52 feet South and 2879.86 feet East of the Southwest corner of Section 34, Township 38 South, Range 9 East, W.M.; thence South 89° 42' 40" East 835 feet to Engineer's center line Station 52+50.

The parcel of land to which this description applies contains 1370 square feet, more or less.

This instrument does not grant or convey any right or title to the above described land, except for the purpose of constructing and maintaining the retaining wall thereon.

It is understood that nothing herein contained shall be construed to impose any duty, obligation or liability upon Grantee by reason of the construction and maintenance of said retaining wall.

And Grantors do hereby covenant to and with Grantee, its successors and assigns, that they are the owners in fee simple of the said property which is free from all encumbrances and will warrant and defend the easement rights herein granted from all lawful claims whatsoever.

Dated this 13th day of APRIL, 1978.

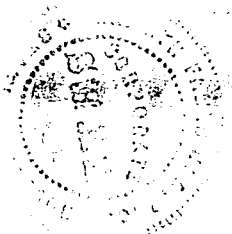
KLAMATH FALLS, KOA., INC., an
Oregon corporation

By William L. Mitchell
VICE President

By Joan W. Reed
Secretary

Joan W. Reed

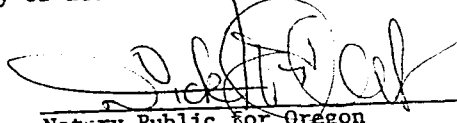
Mary A. Reed



9592

Highway Division
File 49850
M-2298 (2)

STATE OF OREGON, County of Malheur
April 13th, 1978. Personally appeared Willis C. Driskell
and C. W. Driskell, who, being sworn, stated that they are the ^{U2C} Pres-
ident and Secretary of grantor corporation and that this instrument was voluntarily
signed in behalf of the corporation by authority of its Board of Directors. Before
me:


Notary Public for Oregon

My Commission expires Nov. 27, 1981

STATE OF OREGON, County of Klamath
March 30, 1978. Personally appeared the above named Jean W. Reed and
Mary A. Reed, who acknowledged the foregoing instrument to be their voluntary act.
Before me:


Notary Public for Oregon

My Commission expires 11-24-81

SUBORDINATION OF MORTGAGE INTEREST

KNOW ALL MEN BY THESE PRESENTS, that WESTERN BANK, KLAMATH FALLS BRANCH, an
Oregon banking corporation, being the holder of that certain mortgage executed by
Donald E. and Elizabeth J. Drummond to Western Bank, Klamath Falls Branch, dated
February 7, 1974 and recorded February 12, 1974, in Volume M-74, Page 2282, Microfilm
Records of Klamath County, Oregon, does hereby consent to the easement hereinabove
set forth, and does hereby subordinate the lien of said mortgage to said easement.

Dated this 22 day of April, 1978.

WESTERN BANK, KLAMATH FALLS BRANCH,
an Oregon Banking corporation,

By Joseph Whence
~~Vice President~~ Vice President & Manager
By Willis C. Driskell
Secretary

STATE OF OREGON; COUNTY OF KLAMATH; ss.

cnc/ll

Filed for record at request of Oregon State Highway Division
on 11th day of May, A. D. 1978, at 9:38 clock A M. on
fully recorded in Vol. M78, of Deeds on File 9591

Wm D. MILNE, County Clerk
By Perceba J. Helton