

THIS AGREEMENT, Made and entered into on the dates indicated hereafter, by and between WALTER E. WAGNER and ELEANOR A. WAGNER, ROBERT N. YOUNG and ELSIE M. YOUNG, hereinafter called the FIRST PARTY, and DAVID L. COLBY and MARION R. COLBY, hereinafter called the SECOND PARTY:

WITNESSETH:

WHEREAS: the First Party is record owner of the following described real estate in Klamath County, State of Oregon:

The following described real property is situated in Lot 2, Block 1, Section 20, Township 39 South, Range 11½ East of the Willamette Meridian:

Beginning at the Northeast corner of said Section 20; thence South 00°41'55" East along the East line of said Section 20 a distance of 1040.14 feet; thence West 323.00 feet to the true point of beginning of this description; thence continuing West 325.05 feet; thence South 74.5° feet to the North line of the County Road right-of-way; thence Easterly along said North line on the arc of a curve to the right 355.33 feet; thence North 02°33'50" West 795.60 feet to the true point of beginning of this description.

First Party having the following interest in the real estate: Robert N. Young and Elsie M. Young, as tenants by the entirety, holding an undivided one half interest of the real property described above; and Walter E. Wagner and Eleanor A. Wagner, as tenants by the entirety, holding an undivided one half interest of the real property described above.

NOW THEREFORE, in view of the premises and in consideration of One Dollar (\$1.00) by the Second Party to the First Party paid

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and other valuable considerations, the receipt of which hereby is acknowledged by the First Party, they agree as follows:

1. First Party shall grant Second party an easement as follows:

An easement, 16 feet in width, for ingress and egress situated in the NE $\frac{1}{4}$ of Section 20, Township 39 South, Range 11 $\frac{1}{2}$ East Willamette Meridian, Klamath County, Oregon, and being a portion of Lot 2, Parcel 1, as shown on recorded Survey No. 1447, as recorded in the office of the Klamath County Surveyor, the centerline of which is more particularly described as follows:

Beginning at the Northeast corner of said Section 20, thence S00°41'55"E, along the easterly boundary of said Section 20, 1840.14 feet; thence West 320.00 feet, to the northeast corner of said Lot 2, Parcel 1; thence West 158.00 feet; thence South 220.00 feet; thence East 78.00 feet, to the true point of beginning of this description; thence along the centerline of an existing driveway the following courses and distances, S10°03'50"W 19.12 feet, N89°42'34"W 67.04 feet, S59°58'53"W 35.50 feet, S38°10'33"W 57.13 feet, S20°28'16"W 23.68 feet, S13°27'39"W 25.60 feet, S03°21'12"W 203.61 feet, S38°02'10"W 34.00 feet, and S72°13'27"W 22.12 feet, more or less, to a point on the West boundary of said Lot 2, Parcel 1, with bearings on said recorded survey No. 1447.

The easement is for the benefit of and appurtenant to that land or any portion thereof in the County of Klamath, State of Oregon, as follows:

A tract of land situated in the NE $\frac{1}{4}$ of Section 20, Township 39 South, Range 11 $\frac{1}{2}$ East Willamette Meridian, Klamath County, Oregon, and being a portion of Lot 2, Parcel 1, as shown on recorded survey No. 1447, as recorded in the office of the Klamath County Surveyor, more particularly described as follows:

Beginning at the northeast corner of said Lot 2, Parcel 1, as marked by a $\frac{1}{2}$ -inch iron pin, from which the northeast corner of said section 20 bears East 320.00 feet and N00°41'55"W 1840.14 feet; thence West,

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along the north line of said Lot 2, Parcel 1, 198.00 feet; thence South 220.00 feet to a 1/2-inch iron pin; thence East 207.85 feet to a 1/2-inch iron pin on the east line of said lot 2, parcel 1; thence N02°33'50"W 220.22 feet to the point of beginning, containing 1.02 acres, with bearings based on said recorded survey No. 1447.

The Second Party shall have all right to use, maintain and repair said easement. The Second Party shall have all rights of ingress and egress to and from said real estate necessary for the Second Party's use, enjoyment operation and maintenance of the easement. First Party hereby grant all right and privileges incident thereof.

IN WITNESS WHEREOF, the Parties have executed this agreement on the date shown by their respective names.

Dated this 21 day of September, 1978,

Walter E. Wagner
Walter E. Wagner

Eleanor A. Wagner
Eleanor A. Wagner

State of Oregon)

County of Klamath)

ss.)

September 26, 1978)

Personally appeared the above named Walter E. and Eleanor A. Wagner and acknowledged the foregoing instrument to be their voluntary act and deed.

Before Me: Margaret John
Notary Public for Oregon
My Commission Expires: 7/22/82

Dated this 18 day of Sept., 1978

Robert W. Young
Robert W. Young

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Elsie M. Young
Elsie M. Young

State of Pennsylvania)
County of Berks Montgomery)
September 18th, 1978)

ss.

Personally appeared the above named Robert W. and Elsie
M. Young and acknowledged the foregoing instrument to be their
voluntary act and deed.

Before me: John W. Smith
Notary Public for Pennsylvania
Commission Expires December 1981
DOUGLASS TWP., MONROE CO., PENN.
MY COMMISSION EXPIRES DEC. 12, 1981
Member, Pennsylvania Association of Notaries

STATE OF OREGON; COUNTY OF KLAMATH; ss.
and for record ~~EXHIBIT~~
27th day of September A. D. 1978 at 9:05 o'clock A. M., and
fully recorded in Vol. 473 of Deeds on Page 21404
W. D. MILNE, County Clerk
By Bernice R. Ricketts
\$12.00