

TC

57439

AGREEMENT FOR EASEMENT

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THIS AGREEMENT, Made and entered into this 24th day of October, 1978, by and between Klamath River Acres of Oregon, Ltd., hereinafter called the first party, and Fidelity Funding & Realization Co., Inc., hereinafter called the second party;

WITNESSETH:

WHEREAS: The first party is the record owner of the following described real estate in County, State of Oregon, to-wit:

Lot 20, Block 27, Third addition to Klamath River Acres of Oregon, Ltd. according to the official plat thereof on file in the records of Klamath County Oregon.

and has the unrestricted right to grant the easement hereinafter described relative to said real estate;

NOW, THEREFORE, in view of the premises and in consideration of One Dollar (\$1) by the second party to the first party paid and other valuable considerations, the receipt of all of which hereby is acknowledged by the first party, they agree as follows:

The first party does hereby grant, assign and set over to the second party an easement east of the recorded drainage easement to the property line as recorded on the plat of Tract 1004, Klamath County, Oregon. Said easement to be available to Fidelity Funding & Realization Co., Inc. for septic tank drainfield purposes.

(Insert here a full description of the nature and type of the easement granted to the second party.)

The second party shall have all rights of ingress and egress to and from said real estate (including the right from time to time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging branches and other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate.

The second party hereby agrees to hold and save the first party harmless from any and all claims of third parties arising from second party's use of the rights herein granted.

The easement described above shall continue for a period of indefinite, ~~however, to the following specific conditions, restrictions and considerations:~~

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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.

Klamath River Acres of Oregon, Ltd.

By:

E. J. Shipsey

(If the above named first party is a corporation, use the form of acknowledgment opposite.)

(ORS 93.490)

STATE OF OREGON,

County of Klamath

October 24, 1978

Personally appeared the above named

E. J. Shipsey

and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

OFFICIAL SEAL

Notary Public for Oregon

My commission expires: 4/18/80

STATE OF OREGON, County of

ss.

Personally appeared

and

who, being duly sworn, each for himself and not one for the other, did say that the former is the

president and that the latter is the

secretary of

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

AGREEMENT FOR EASEMENT

BETWEEN

Klamath River Acres of Oregon, Ltd.

Box 52, Keno, Oregon

AND

Fidelity Funding & Realization Co., Inc.

Box 52, Keno, Oregon

AFTER RECORDING RETURN TO

Fidelity Funding & Realization Co., Inc.

Box 52

Keno, Oregon 97627

STATE OF OREGON

ss.

County of Klamath

I certify that the within instrument was received for record on the 27th day of October, 1978, at 11:06 o'clock A.M., and recorded in book M78 on page 24204 or as file/reel number 57439, Record of Deeds of said county.

Witness my hand and seal of County affixed.

Wm. D. Milne

Recording Officer

By: [Signature] Deputy

Deputy

Fee \$6.00