

AGREEMENT FOR JOINT USE AND MAINTENANCE OF ROAD

Agreement made this 9 day of July, 1979, by and between ERNEST E. WISEMAN and GRACE L. WISEMAN, husband and wife (hereafter Wiseman), and ALBERT E. JONES and BETTY L. JONES, husband and wife (hereafter Jones).

RECITALS

A. Wiseman has this day conveyed to Jones certain real property hereafter described pursuant to an Agreement Exchange of Real Property dated May 1, 1979.

B. The conveyed real property has a road located thereon which provides access to the Klamath Falls - Lakeview Highway. A portion of this road is located on land retained by Wiseman, which is also hereafter described.

C. Wiseman and Jones wish to have the joint use of the existing road for purposes of access to their respective real property and jointly to maintain the portion of the road used by both.

NOW THEREFORE, in consideration of these premises and the mutual obligations contained herein, the parties agree as follows:

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1. Wiseman reserves the right to use the portion of the existing road located on Parcel I described on Exhibit "A" for purposes of access to Parcel II retained by Wiseman which is also described on Exhibit "A".

2. Wiseman grants to Jones the right to use the portion of the said road which is located on Parcel II for purposes of access to Parcel I.

3. Wiseman and Jones each agree to pay 50% of the cost of maintaining the portions of the road used by both. Any expenditures or repair shall be agreed upon by the parties before any commitments for such work are made by either party.

4. This agreement shall be binding upon the heirs, personal representatives, successors and assigns of the parties and shall run with the land.

IN WITNESS WHEREOF, the parties herewith have executed this agreement the day and year first above written.

Albert E. Jones
ALBERT E. JONES

Betty L. Jones
BETTY L. JONES

Ernest E. Wiseman
ERNEST E. WISEMAN

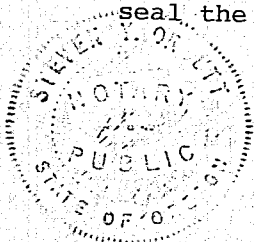
Grace L. Wiseman
GRACE L. WISEMAN

18341

STATE OF OREGON)
) ss
COUNTY OF KLAMATH)

On this 9th day of July, 1979, before me appeared the within named ALBERT E. JONES and BETTY L. JONES, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.



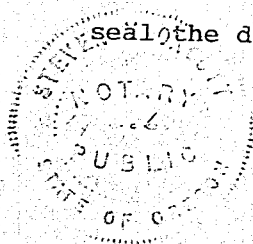
[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires: 8/29/81

STATE OF OREGON)
) ss
COUNTY OF KLAMATH)

On this 9th day of July, 1979, before me appeared the within named ERNEST E. WISEMAN and GRACE L. WISEMAN, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.



[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires: 8/29/81

EXHIBIT "A"

18342

A parcel of land situated in the E $\frac{1}{2}$ of Section 33 and the W $\frac{1}{2}$ of Section 34, T38S, R11 $\frac{1}{2}$ E, W.M., more particularly described as follows:

Beginning at a 5/8" iron pin on the east line of said Section 33, from which the southeast corner of said Section 33 bears South 1830.00 feet, thence from said point of beginning leaving said section line S 89°57'32" W 350.10 feet to a 5/8" iron pin, thence N 00°02'28" W 786.35 feet to a point, from which a 5/8" iron pin on the southerly right of way line of the Klamath Falls-Lakeview Highway (Oregon Highway No. 140) bears N 00°02'28" W 430.00 feet, thence N 89°57'32" E 250.00 feet to a point, thence N 00°02'28" W to a point on the southerly right of way line of said Klamath Falls-Lakeview Highway, thence northeasterly along the southerly right of way line of said Klamath Falls-Lakeview Highway to the most westerly corner of that certain parcel of land described in a deed recorded in M74 page 8225, thence southeasterly leaving said right of way line, along the southerly line of said parcel described in a deed recorded in M74 page 8225 the following bearings and distances: S 42° E 115.00 feet, N 89° E 295.00 feet, S 71° 30' E 84.00 to the most southwesterly corner of that tract of land described in a deed recorded in Volume 66 at page 552, thence southeasterly along the southerly line of that certain tract of land described in said Volume 66 at page 552 to a point in a fence on the westerly line of that tract of land described in deed recorded in Volume 245 at page 17, thence S 90°54' E along said fence and said westline of that tract of land described in deed recorded in Volume 245 at page 17 to a 5/8" iron pin, from which a 5/8" iron pin on the south line of said Section 34 bears S 00° 54'00" E 1569.00 feet, thence S 89°06' W 310.00 feet to a 5/8" iron pin, thence N 00°54'00" W 413.40 feet to a 5/8" iron pin, thence N 89°52'00" W 980.85 feet to a 5/8" iron pin on the west line of said Section 34, thence South along the west line of said Section 34 152.85 feet to the point of beginning.

Containing 51 acres more or less.

18343

EXHIBIT "A"

A parcel of land situated in the E 1/2 of Section 33, T38S, R11 1/2E, W.M., Klamath County, Oregon, being more particularly described as follows:

Beginning at a 5/8" iron pin on the southerly right of way line of the Klamath Falls-Lakeview Highway (Oregon Highway No. 140) from which the southeast corner of said Section 33 bears the following three bearings and distances, South 1216.35 feet, East 350.10 feet, S 00°02'28" W 1830.00 feet, thence from said point of beginning South 430.00 feet to a point, thence East 250.00 feet to a point, thence North to a point on the southerly right of way line of Klamath Falls-Lakeview Highway, thence westerly on said right of way line to the point of beginning.

Containing 2.8 acres more or less.

Rt. to MTC

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Mountain Title Co.
this 1st day of August A. D. 1979 at 11:26 clock AM., and
fully recorded in Vol. 179, of Deeds on Page 339

Fee \$17.50

Wm D. MILNE, County Clerk
By Bernetha A. Heloich