

72347

## DEED FOR RIGHT-OF-WAY EASEMENT

Vol. <sup>m</sup> 77 Page 19338

THIS INDENTURE made this 7 day of August, 1979, between FREDRICK WAYNE SCHONCHIN, First Party, which term includes the heirs, successors, assigns, and personal representatives of said party, and EVANGELINE B. SCHONCHIN, Second Party, which term includes the heirs, successors, assigns, and personal representatives of said party,

WITNESSETH:

IN CONSIDERATION of the sum of \$200.00 Two Hundred and  
no/100 DOLLARS (\$ 200.00 ) paid to the  
First Party by the Second Party, receipt of which is hereby acknowledged,  
and of other valuable consideration, the First Party covenants and  
grants to the Second Party, a non-exclusive easement in fee simple, in  
common with other users for ingress and egress over and across the following  
described parcel of real property located within the County of Klamath,  
State of Oregon, to-wit:

S 1/2 SE 1/4, Section 30, Township 36 South, Range 12  
East, Willamette Meridian.

Said easement shall be appurtenant to and benefiting the following described  
parcel of real property, to-wit:

E 1/2 NE 1/4, Section 31, and W 1/2 NW 1/4, Section 32,  
Township 36 South, Range 12 East, Willamette Meridian.

Said easement being a thirty foot wide road easement through S 1/2 SE 1/4,  
Section 30, Township 36 South, Range 12 East, Willamette Meridian, more  
particularly described as follows, to-wit:

Beginning at the Southwest corner of said parcel, from which the  
Section corner common to Sections 29, 30, 31, 32 bears S 89° 39' 35" E - -  
189.07 feet,

thence N 32° 47' 30" W - - 1,014.73 feet to a point at the inter-  
section with the Southerly right-of-way line of Oregon State Highway 140,  
thence N 48° 49' 50" E - - 30.32 feet along the Southerly right-  
of-way line of said highway to a point,

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thence S 32° 47' 30" E -- 1,038.73 feet, and parallel and 30.00 feet distance at right angles to the Westerly boundary to a point at the intersection of the North line of Section 31, thence N 89° 39' 35" W -- 35.82 feet along the North line of Section 31 to the point of beginning.

The basis of bearing is Major Land Partition "No. 79-31 Schonchin" on file in the office of the County Clerk, Klamath County, Oregon;

TO HAVE AND TO HOLD, the above described and granted easement unto the Second Party, her heirs and assigns, forever.

The Second Party hereby covenants that she will at all times hereafter pay the full cost of the repair and maintenance of the roadway, and Second Party will not obstruct said easement, or otherwise restrict First Party or any other users right to use said easement. Said easement is to be used by Second Party as access connected with agricultural use only and for no other use or purpose.

In the event either party seeks to enforce specifically the terms and provisions contained herein, the prevailing party shall be entitled to recover reasonable attorney's fees if a suit or action is filed, the amount of which is to be fixed by the court or courts in which the suit or action, or appeal therein, is heard or decided.

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year first written above.

Fredrick Wayne Schonchin  
FREDRICK WAYNE SCHONCHIN

FIRST PARTY

Evangelina B. Schonchin  
EVANGELINE B. SCHONCHIN

SECOND PARTY

STATE OF OREGON )  
 )  
County of Jackson )

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On this 7 day of August, 1979, personally  
appeared the above named Fredrick Wayne Schonchin and Evangeline B. Schonchin,  
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Lester De Lorme  
Notary Public for Oregon  
My Commission Expires: August 26, 1981

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Horton Ranch Realty

this 14th day of August A. D. 1979 at 11:36 clock A M., and

duly recorded in Vol. 1179, of Feels on Page 10338

Wm D. MILNE, County Clerk

Fee \$10.50

By Lester De Lorme

Mrs. Evangeline Schonchin  
P.O. Box 222  
Beatty, Or