

79135

EASEMENT

Vol. ^m 80 Page 428
NOV 1979

AGREEMENT MADE between TIMMIS CARROLL HUNT and JUNE EVELYN HUNT husband and wife, of Klamath Falls, Oregon, and ISABEL H. CLAUSON, of Klamath Falls, Oregon.

RECITALS

1. The parties have an interest in adjoining real estate situated in the County of Klamath, State of Oregon., and described respectively, as follows:

Hunts - Property Description

A parcel of land situate in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Twp. 39 S.R. 9 E.W.M., described as follows: Beginning at a point on the East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ which bears South 0° 18' East a distance of 1105.2 feet from the Northeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, said point being the Southeast corner of tract described as Parcel 1 in Deed recorded July 19, 1968, in Vol. M68, page 6547, Deed records of Klamath County, Oregon; thence South 89° 42' West along the South line of said parcel, a distance of 25.0 feet to the True Point of beginning of this description; thence continuing South 89° 42' West a distance of 175.0 feet to the Southwest corner of said parcel; thence North 0° 18' West along the West line of said parcel, a distance of 130.0 feet to a point; thence North 89° 42' East a distance of 175.0 feet to a point; thence South 0° 18' East a distance of 130.0 feet to the point of beginning.

Clauson - Property Description

A parcel of land situate in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Twp. 39 S.R. 9 E.W.M., described as follows: Beginning at a point on the East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ which bears South 0° 18' East a distance of 572 feet from the Northeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$; thence South 89° 42' West a distance of 200.0 feet; thence South 0° 18' East a distance of 185.24 feet to the true point of beginning; thence continuing South 0° 18' East a distance of 215.00 feet to a point which bears North 0° 18' West a distance of 130.0 feet from the Southwest corner of tract described as parcel 1 in Deed Vol. M68 page 6547, Deed records of Klamath County, Oregon, thence North 89° 42' East a distance of 175.0 feet to a point; thence North 0° 18' West to the Northwest corner of parcel described in deed from Richard Clauson et ux., to Chester R. Robertson, et ux. recorded in Vol. M69, page 7366, Deed records of Klamath County, Oregon; thence East along the North line of last described parcel a distance of 25.0 feet to the East line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ thence North 0° 18' West along said East line to a point which is North 89° 42' East from the point of beginning; thence South 89° 42' West to the point of beginning.

2. The parties to this agreement desire to create an easement for driveway purposes over the now existing driveway located on the above described property for the benefit of each of them.

The parties agree as follows:

An easement for a common driveway in favor of the Hunt property is created over the now existing driveway located upon the Clauson property for the benefit of both of the above described lots.

This easement is superior and paramount to the rights of any of the parties hereto in the respective servient estates so created and the parties further agree that it is a covenant that shall run with the land and shall be non-exclusive.

It is further agreed between the parties that the driveway shall be maintained in its present condition and that the cost of maintenance of the driveway shall be borne equally between the parties.

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

Timmis C. Hunt
Timmis Carrol Hunt

Isabel H. Clauson
Isabel H. Clauson

June E. Hunt
June Evelyn Hunt

STATE OF OREGON)
County of Klamath) ss.

Personally appeared the above named Timmis C. Hunt and June Evelyn Hunt and acknowledged the foregoing their voluntary act and deed this ~~XXXXXX day of November, 1979~~ 9th day of January 1980.

David L. Smith
Notary Public for Oregon
My Commission expires: 10-24-81

STATE OF OREGON)
County of Klamath) ss.

Personally appeared the above named Isabel H. Clauson and acknowledged the foregoing her voluntary act and deed this ~~XXXXXX day of November, 1979~~ 9th day of January 1980.

David L. Smith
Notary Public for Oregon
My Commission expires: 10-24-81

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 9th day of January A.D., 1980 at 11:39 o'clock A M., and duly recorded in Vol. M80, of Deedws on Page 428.

FEE \$7.00

WM. D. MILNE, County Clerk
By Berntha H. Heloch Deputy

Timmis C. Hunt
2332 Straps St.
Klamath Falls, Ore.
97601