

97601

Bruce Boylan
5322 Mayan
Klamath Falls, Or.
97601

V-1. ^m 80 Page 5550

E A S E M E N T

1 THIS EASEMENT, Made the ____ day of _____, 1980,
2 between CARL R. JARSCHKE and PATRICIA F. JARSCHKE, Husband and Wife,
3 as Grantors, and BRUCE A. BOYLAN and ROBERTA F. BOYLAN, Husband and
4 Wife, their heirs, successors and assigns, as Grantees:

W I T N E S S E T H

6 That in consideration of the sum of TEN AND NO/100
7 (\$10.00) Dollars, receipt of which is hereby acknowledged, and the
8 mutual covenants and agreements contained herein, and other valuable
9 considerations, Grantors do hereby convey to Grantees a perpetual
10 nonexclusive easement to use a strip of land nine (9) feet in width
11 described as follows:

12 A strip of land nine (9) feet in width,
13 parallel with and adjacent to the Southern
14 boundary of land owned by Grantors and
situated in Klamath County, Oregon, more
particularly described as follows:

15 A tract of land situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section
16 28, Township 39 South, Range 9 East of the
Willamette Meridian, in the County of Klamath,
17 State of Oregon, being more particularly
described as follows:

18 Beginning at a point on the West line of said
19 Section 28, said point being in Tingley Lane
and located South 00°01'40" West 459.50 feet
20 from the Northwest corner of said Section 28;
thence South 85°38'55" East along the center
21 line of an existing lane and its extension,
842.57 feet; thence South 00°01'40" West 306.41
22 feet; thence North 89°58'20" West 840.17 feet
to the West line of said Section 28; thence
23 North 00°01'40" East 369.94 feet to the point
of beginning.

24 The terms of this Easement are as follows:

25 1. Grantees, their agents, independent contractors and
26 invitees shall use the easement strip for private road purposes
only for ingress and egress to the property described in paragraph
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1 four herein, and in conjunction with such use may construct,
2 reconstruct, maintain and repair a road thereon.

3 2. This Easement shall be perpetual.

4 3. This Easement is granted subject to all prior Easements
5 or encumbrances of record.

6 4. This Easement is for the benefit of and appurtenant
7 to that real property owned by Grantees and described as follows:

8 A tract of land situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of
9 Section 28, Township 39 South, Range 9 East
10 of the Willamette Meridian in the County of
Klamath, State of Oregon, more particularly
described as follows:

11 Beginning at a 5/8 inch iron pin on the West
12 line of said Section 28 and in the centerline
of Tingley Road, said point being South
13 00°01'40" West 251.50 feet from the Northwest
corner of said Section 28, marked by a 5/8 inch
14 iron pin; thence South 89°58'20" East 756.58
feet to a 5/8 inch iron pin; thence South
15 17°05'05" East 284.10 feet to a 5/8 inch iron
pin on the center line of an existing access
16 lane extended; thence North 85°38'55" West
842.57 feet to a 5/8 inch iron pin at the
17 intersection of said lane and center of said
Tingley Road. Said point also being on the
18 West line of said Section 28; thence North
00°01'40" East 208.00 feet to the point of
beginning.

19 5. The parties hereto agree that this Easement is to be
20 considered in conjunction with a similar Easement of even date wherein
21 Grantees herein grant to Grantors herein an Easement adjoining the
22 easement granted herein. That it is the purpose of the parties to
23 establish a joint roadway on the boundary line between the above
24 described parcels of property for the purpose of providing access
25 to each of the parties' property for residential and light agricultural
26 use. That the parties hereto hereby agree to share equally the costs

1 of maintenance of the common Easement upon prior written mutual
 2 agreement of the parties as to what repairs and maintenance should
 3 be performed. The consent of a party shall not be unreasonably withheld.

4 IN WITNESS WHEREOF, the parties have caused this instrument to
 5 be executed the day and year first written above.

6 GRANTORS

GRANTEES

7 Carl R. Jarschke
 8 CARL R. JARSCHKE

Bruce A. Boylan
 BRUCE A. BOYLAN

9 Patricia F. Jarschke
 PATRICIA F. JARSCHKE

Roberta F. Boylan
 ROBERTA F. BOYLAN

10 STATE OF OREGON)
 11 COUNTY OF KLAMATH) SS

12 Personally appeared the above named CARL R. JARSCHKE and PATRICIA
 13 F. JARSCHKE, his wife, and acknowledged the foregoing instrument to be
 14 their voluntary act and deed.

15 Before me this 19th day of March, 1980.

Judith L. Bangsbo
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: April 9, 1982

16 STATE OF OREGON)
 17 COUNTY OF KLAMATH) SS

18 Personally appeared the above named BRUCE A. BOYLAN and ROBERTA F.
 19 BOYLAN, his wife, and acknowledged the foregoing instrument to be their
 20 voluntary act and deed.

21 Before me this 19th day of March, 1980.

Judith L. Bangsbo
 NOTARY PUBLIC FOR OREGON
 My Commission Expires: April 9, 1982

22 STATE OF OREGON)
 23 COUNTY OF KLAMATH) SS

24 I certify that the within instrument was received for record
 25 on the 25th day of March, 1980 at 10:00 o'clock A.M. and
 26 recorded in Book 400 at Page 5550, record of deeds of said county.

WITNESS MY HAND AND SEAL OF COUNTY AFFIXED.

WM. D. MILNE, Recorder

BY Bernard H. Hetch

Deputy