

Bruce Boylan
5322 McGowan
Klamath Falls, OR
97601

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52311

E A S E M E N T

1 THIS EASEMENT, Made the _____ day of _____, 1980,
2 between BRUCE A. BOYLAN and ROBERTA F. BOYLAN, Husband and Wife, as
3 Grantors, and CARL E. JARSCHKE and PATRICIA F. JARSCHKE, Husband
4 and Wife, their heirs, successors and assigns, as Grantees:
5

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
8 the mutual covenants and agreements contained herein, and other
9 valuable considerations, Grantors do hereby convey to Grantees a
10 perpetual nonexclusive easement to use a strip of land nine (9)
11 feet in width described as follows:
12

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

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

19 Beginning at a 5/8 inch iron pin on the West
20 line of said Section 28 and in the centerline
of Tingley Road, said point being South
21 00°01'40" West 251.50 feet from the Southwest
corner of said Section 28, marked by a 5/8 inch
22 iron pin; thence South 89°58'20" East 756.58
feet to a 5/8 inch iron pin; thence South
23 17°05'05" East 284.10 feet to a 5/8 inch iron
pin on the center line of an existing access
24 lane extended; thence North 85°38'55" West
842.57 feet to a 5/8 inch iron pin at the
25 intersection of said lane and center of said
Tingley Road. Said point also being on the
26 West line of said Section 28; thence North
00°01'40" East 208.00 feet to the point of
beginning.

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1 The terms of this Easement are as follows:

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

7 2. This Easement shall be perpetual.

8 3. This Easement is granted subject to all prior
9 Easements or encumbrances of record.

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

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

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

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

1 to each of the parties' property for residential and light
 2 agricultural use. That the parties hereto hereby agree to share
 3 equally the costs of maintenance of the common Easement upon prior
 4 written mutual agreement of the parties as to what repairs and
 5 maintenance should be performed. The consent of a party shall not
 6 be unreasonably withheld.

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

9 GRANTORS

GRANTEES

10 Bruce A. Boylan
 BRUCE A. BOYLAN

Carl R. Jarschke
 CARL R. JARSCHKE

11 Roberta F. Boylan
 12 ROBERTA F. BOYLAN

Patricia F. Jarschke
 PATRICIA F. JARSCHKE

13 STATE OF OREGON)
 14 COUNTY OF KLAMATH) SS

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

Before me this 19th day of March, 1980.

17 Judy L. Bangor
 18 NOTARY PUBLIC FOR OREGON
 My Commission Expires: April 9, 1982

19 STATE OF OREGON)
 20 COUNTY OF KLAMATH) SS

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

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

23 Judy L. Bangor
 24 NOTARY PUBLIC FOR OREGON
 My Commission Expires: April 9, 1982

25 STATE OF OREGON)
 COUNTY OF KLAMATH) SS I certify that the within instrument was
 received for record on the 25th day of March, 1980 at 10:00 o'clock
 26 A.M. and recorded in Book 5553 at Page 5553, record of deeds of
 said county.

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 EASEMENT

WITNESS MY HAND AND SEAL OF COUNTY AFFIXED.

WM. D. MILNE, Recorder

BY Bernard D. Delock
 Deputy