

38-21522-2-D

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EASEMENT

WHEREAS, Grantors herein are owners of the following described real property in Klamath County, Oregon:

Beginning at a point on the East Right-of-Way Line of The Dalles-California Highway which lies 30 feet East and 320 feet South of the Northwest Corner of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; said point being the Southwest Corner of Parcel 2 in Deed to G. KEITH MOON and wife, by Deed recorded June 23, 1944, in Deed Book 166 at Page 303; thence

East along the South Line of said Parcel 2 of said Keith Tract a distance of 435.6 feet to the Southeast Corner thereof; thence

South and parallel to the West line of said Section 19 to the North Line of the U.S.R.S. Dixon Drain; thence

Westerly following the North line of said drain to its intersection with the East line of said highway; thence

North along said highway to the point of beginning.

NOW THEREFORE, in consideration of the release of a preexisting easement on a different strip of land, A.F. HERRINGSHAW and EILEEN HERRINGSHAW, Grantors, convey to JOHN ROBERT CALDWELL and TERESA K. CALDWELL, husband and wife, Grantees, their heirs, successors and assigns, a perpetual nonexclusive easement to use a strip of land 20 feet wide which is located as follows across the above-described property of the Grantors:

The following described real property in Klamath County, Oregon:

Beginning at a point on the East Right-of-Way Line of The Dalles-California Highway which lies 30 feet East and 320 feet South of the Northwest Corner of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; said point being the Southwest Corner of Parcel 2 in Deed to G. KEITH MOON and wife, by Deed recorded June 23, 1944, in Deed Book 166 at Page 303; thence

East along the South Line of said Parcel 2 of said Keith Tract a distance of 435.6 feet to the Southeast Corner thereof; thence

South and parallel to the West line of said Section 19 to the North Line of the U.S.R.S. Dixon Drain, which is the true point of beginning; thence

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RNEY AT LAW
Main STREET
BOX 627
CL. OR. 97601

1 Westerly following the North line of said drain to its
2 intersection with the East line of said highway; thence
3 North 20 feet along the East line of said highway; thence
4 ~~Easterly~~ and parallel with the North line of the U.S.R.S.
5 Dixon Drain to a point 20 ' North of the true point of beginning:
6 thence South 20 feet to the point of beginning.

7 1. Grantees, their agents, independent contractors and
8 invitees shall use the easement strip only for road purposes for
9 access to the property described in paragraph 2 below, and in
10 conjunction with such use may construct, reconstruct, maintain
11 and repair a road thereon.

12 2. This access easement is appurtenant to the real proper-
13 ty owned by (or, soon to be purchased by) the Grantees, said
14 property being described as follows:

15 A parcel of land in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 19,
16 Township 39 South, Range 10 East of the Willamette
17 Meridian, in the County of Klamath, State of Oregon,
18 more particularly described as follows:

19 Beginning at the Northwest corner of Section 19 marked
20 with a pin in the center of the Dalles-California Highway;
21 thence East 465.6 feet; thence South 216.6 feet to $\frac{1}{2}$ "
22 rebar which is the true point of beginning; thence East
23 273.2 feet to $\frac{1}{2}$ " iron rebar; thence South 97.51 feet to
24 $\frac{1}{2}$ " iron rebar which is Northernly right of way of Dixon
25 Drain; thence South 65° 35' West 300 feet along said
26 drain right of way to iron rebar; thence North 221.52
27 feet to point of beginning.

28 3. This easement is granted subject to any prior easements
29 or encumbrances of record.

30 4. This easement is binding upon all heirs and assigns of
31 all the parties.

32 Dated this 32nd day of April, 1980.

33 A. F. Herringshaw
34 A.F. HERRINGSHAW, Grantor

35 Eileen Herringshaw
36 EILEEN HERRINGSHAW, Grantor

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1 STATE OF OREGON)
2 County of Klamath) ss.

3 The foregoing Easement was acknowledged before me by
4 A.F. HERRINGSHAW, as Grantor, this 22nd day of April, 1980.

5
6 Richard N. Goffena
7 NOTARY PUBLIC FOR OREGON
8 My Commission Expires: 2-15-82

9 STATE OF OREGON)
10 County of Klamath) ss.

11 The foregoing Easement was acknowledged before me by
12 EILEEN HERRINGSHAW, as Grantor, this 22nd day of April, 1980.

13
14 Richard N. Goffena
15 NOTARY PUBLIC FOR OREGON
16 My Commission Expires: 2-15-82
17
18
19

20 STATE OF OREGON; COUNTY OF KLAMATH; ss.

21 Filed for record at request of Transamerica Title Co.
22 this 5th day of May A. D. 1980 at 1:54 o'clock P M., and
23 duly recorded in Vol. N80, of Deeds on Page 8237

24 Wm D. MILNE, County Clerk

25 Fee \$10.50

26 THIS DOCUMENT IS BEING RERECORDED TO CORRECT THE ERROR IN THE
27 LEGAL DESCRIPTION



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885-3747
RICHARD N. GOFFENA
ATTORNEY AT LAW
325 Main Street

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 13th day of
May A.D., 19 80 at 3:41 o'clock P M., and duly recorded in Vol. N80
of Deeds on Page 8809.

FEE \$10.50

WM. D. MILNE, County Clerk
By Richard N. Goffena Deputy