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## AGREEMENT FOR EASEMENT

Vol. <sup>m</sup> 80 Page 10603-5

THIS AGREEMENT, Made and entered into this 2<sup>ND</sup> day of May, 1980, by and between WALTER JAMES EGGSMAN and CLOVERINE M. EGGSMAN, husband and wife hereinafter called the first party, and WILBUR EGGSMAN and MABIE EGGSMAN, husband and wife, hereinafter called the second party;

WITNESSETH:

WHEREAS: The first party is the record owner of the following described real estate in Klamath County, State of Oregon, to-wit:

The West  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of Section 23, Township 34 South, Range 8 E.W.M., Klamath County, Oregon, lying Southerly of the Williamson River Road, and North of Sprague River.

and has the unrestricted right to grant the easement hereinafter described relative to said real estate; NOW, THEREFORE, in view of the premises and in consideration of One Dollar (\$1) by the second party to the first party paid and other valuable considerations, the receipt of all of which hereby is acknowledged by the first party, they agree as follows:

The first party does hereby grant, assign and set over to the second party

An easement over and across the North 30 feet and the West 30 feet of the Northerly 660 feet of that portion of the West  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of Section 23, Township 34 South Range 8 E.W.M. Klamath County, Oregon, lying Southerly of Williamson River Road, and North of Sprague River.

Said easement is for the benefit of the property of the second party, his heirs and assigns, more particularly described as follows:

The East  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$ , and the East  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$ , Section 23, Township 34 South, Range 8 E.W.M., Klamath County, Oregon.

( SEE ATTACHED EXHIBIT A )

(Insert here a full description of the nature and type of the easement granted to the second party.) The second party shall have all rights of ingress and egress to and from said real estate (including the right from time to time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging branches and other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate.

The second party hereby agrees to hold and save the first party harmless from any and all claims of third parties arising from second party's use of the rights herein granted.

The easement described above shall continue for a period of non-exclusive-perpetual, always subject, however, to the following specific conditions, restrictions and considerations:

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If this easement is for a right of way over or across first party's said real estate, the center line of said easement is described as follows:

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and second party's right of way shall be parallel with said center line and not more than ..... feet distant from either side thereof.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but also their respective heirs, executors, administrators and successors in interest as well.

In construing this agreement and where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter; and generally, all changes shall be made or implied so that this instrument shall apply both to individuals and to corporations.

IN WITNESS WHEREOF, the parties hereto have subscribed this instrument in duplicate on this, the day and year first hereinabove written.

(If the above named first party is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,

County of KLAMATH } ss.

MAY 2, 1980.

Personally appeared the above named WALTER JAMES EGGSMAN & CLOVERINE M. EGGSMAN and acknowledged the foregoing instrument to be THEIR voluntary act and deed.

(OFFICIAL SEAL)

Before me:

John A. Kault  
Notary Public for Oregon

My commission expires:

July 16, 1980

(ORS 93.490)

Walter James Eggsman  
WALTER JAMES EGGSMAN

Cloverine M. Eggsman  
CLOVERINE M. EGGSMAN

STATE OF OREGON, County of .....

) ss.

Personally appeared.....

and

..... who, being duly sworn, each for himself and not one for the other, did say that the former is the ..... president and that the latter is the ..... secretary of .....

....., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

(OFFICIAL SEAL)

### AGREEMENT FOR EASEMENT

BETWEEN

Walter Eggsman ET UX

AND

Wilbur Eggsman ET UX

AFTER RECORDING RETURN TO

MOUNTAIN TITLE COMPANY  
407 Main Street  
Klamath Falls, Oregon 97601

STATE OF OREGON

County of .....

} ss.

I certify that the within instrument was received for record on the ..... day of ..... 19.....

at ..... o'clock M., and recorded in book ..... on page ..... or as file/reel number .....

Record of ..... of said county.

Witness my hand and seal of County affixed.

Recording Officer

By .....

Deputy:

TAX LOT 2300  
WINEMA NATIONAL  
FOREST

S 89° 06' 00" W — 2663.46'  
(S 89° 06' W — 2683.5')

S 89° 06' 00" W — 1089.14'

N 1/4 COR.  
SEC. 23

PARCEL NO. 1  
15.00 ACRES

PROPOSED  
30 FT. WIDE  
EASEMENT  
(4% GRADE)

N 00° 01' 10" E — 600.00'

S 00° 01' 10" W — 600.00'

30' WIDE  
EASEMENT

S 89° 06' 00" W — 1089.14'

TAX LOT 4100  
WILBUR & MABIE S. EGGSMAN

PARCEL NO. 2  
106.3 ACRES

(N 00° 24' 30" E — 2646.7')  
N 00° 01' 10" E — 2663.05'

(N 89° 32' E — 1992.6')

TAX LOT 4200  
JESSE F. FRANCIS

C 1/4 COR.  
FD. 1/2" IRON  
PIPE

I do certify that this is the original

BASIS OF BEARINGS — RECORD OF SURVEY NO. 812  
PARENTHESIS INDICATES RECORD INFORMATION AS  
PER RECORD OF SURVEY NO. 812

I do certify that this is the original ph

- — — INDICATES PROPOSED LOT LINE
- O — INDICATES 5/8" X 30" REBAR WITH  
YELLOW PLASTIC CAP SET
- ⊙ — INDICATES BRASS CAP FOUND

Filed for record this \_\_\_\_\_ day of

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 10th day of  
June A.D., 19 80 at 11:32 o'clock A M., and duly recorded in Vol. 480  
of Deeds on Page 10603.

FEE \$10.50

WM. D. MILNE, County Clerk  
By Bernetha Whitlock Deputy