

1095

Vol. M74 Page 11125EASEMENT

THIS Easement Agreement made and entered into this _____
 June, 1981 by and between PEPSI COLA BOTTLING COMPANY OF
 KLAMATH FALLS, a Co-Partnership, consisting of MARIO D.
 PASTEGA and LEO J. BOCCHI, hereinafter called "PEPSI COLA"
 and QUAIL MOUNTAIN DEVELOPMENT CORP., an Oregon corporation,
 hereinafter called "QUAIL MOUNTAIN".

R E C I T A L S:

A. Pepsi Cola is the owner of a tract of real property
 situate in Klamath County, Oregon, described as:

A parcel of land situated in the "Vacated Portion
 of Balsiger Tracts", Klamath County, Oregon, being
 more particularly described as follows:

Beginning at the intersection of the West right-
 of-way line of Deby Street and the North right-of-
 way of Miller Avenue; thence South $89^{\circ}59'30''$ West
 along said North right-of-way line, 250.00 feet;
 thence North 323.05 feet; thence North $89^{\circ}49'30''$
 East 163.58 feet to the Westerly right-of-way line
 of a canal; thence South $31^{\circ}55'30''$ East along said
 Westerly canal right-of-way line, 163.37 feet to
 said West right-of-way line of Derby Street; thence
 South $00^{\circ}00'30''$ East along said West right-of-way
 line of Derby Street, 184.85 feet to the point of
 beginning, containing 1.72 acres, more or less.

B. Quail Mountain is the owner of a tract of real property
 situate in Klamath County, Oregon, described as:

A tract of land situated in the $SE\frac{1}{2}$ of the $NE\frac{1}{4}$ of
 Section 3, Township 39 South, Range 9 East, W. M.
 Klamath County, Oregon, being more particularly
 described as follows:

Beginning at the intersection of the Northerly right-
 of-way line of Miller Avenue and the Westerly right-
 of-way line of Deby Street as located on the Map of
 Survey Number 1308 filed with the Klamath County
 Surveyor, thence S. $89^{\circ}59'30''$ W along aid right-of-way
 line of Miller Avenue 250.00 feet to the Southwest
 corner of that parcel recorded in Volume M74, page
 12689 of Deed Records of Klamath County, Oregon, said
 point being the true point of beginning; thence con-
 tinuing along aid right-of-way line S $89^{\circ}59'30''$ W
 515.95 feet to the Southeast corner of that parcel
 recorded in Volume 351, page 356 of the Deed Records
 of Klamath County, Oregon; thence along the Easterly
 and Northerly boundaries of said parcel N $00^{\circ}23'00''$
 E 75.00 feet to a point; thence S. $89^{\circ}59'30''$ W 150.00
 feet to a point on the Easterly right-of-way line of
 Crest Street; thence along said right-of-way line
 N $00^{\circ}23'00''$ E 246.15 feet to a point; thence leaving
 said right-of-way line N $89^{\circ}49'30''$ E 663.80 feet to
 the Northwest corner of that parcel recorded in
 Volume M74, Page 12689, Klamath County, Oregon; thence

South along the West boundary of said parcel
323.07 feet 323.07 feet to the true point of
beginning, containing 4.66 acres, more or less.

C. The parties hereto desire to create a joint use
easement for ingress and egress on the boundary adjoining the
above-mentioned properties for their joint use and benefit.

EASEMENT

NOW, THEREFORE, the parties hereto convey to each other,
from their respective real property, an easement for purposes
of ingress and egress 24 feet in width, which is 12 feet on each
side of the centerline described as follows:

Beginning at the intersection of the West right-of-way
line of Deby Street and the North right-of-way line
of Miller Avenue as located on Map of Survey Number
1308 filed with the Klamath County Surveyor; thence
South 89°59'30" West along said right-of-way line of
Miller Avenue 250.00 feet to the true point of be-
ginning; thence a center line beginning at said
point of beginning and running perpendicular to
Miller Avenue along the boundary common to Pepsi
Cola and Quail Mountain 323.05 feet in length

Said Easement shall be for the joint use of the parties
hereto and shall run with the land.

PEPSI COLA BOTTLING COMPANY OF
KLAMATH FALLS

By: Leo J. Bocchi
Leo J. Bocchi, President

QUAIL MOUNTAIN DEVELOPMENT CORP.,
an Oregon corporation

By: Margie Bocchi
Margie Bocchi, President

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STATE OF OREGON)
County of Klamath) ss. June 18th, 1981

Personally appeared the above-named LEO J. BOCCHI, who being duly sworn, stated that he is the President of Pepsi Cola Bottling Company of Klamath Falls and that said instrument was signed in behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed. Before me:

Donald Bert Hamilton
Notary Public for Oregon
My Commission expires: 3/20/85

STATE OF OREGON)
County of Klamath) ss. June 19, 1981.

Personally appeared the above-named MARGIE BOCCHI, who being duly sworn, stated that she is the president of QUAIL MOUNTAIN DEVELOPMENT CORP. and that said instrument was signed in behalf of said corporation by authority of its Board of Directors; and she acknowledged said instrument to be its voluntary act and deed. Before me:

Donald Bert Hamilton
Notary Public for Oregon
My Commission expires: 3/20/85

STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record at request of Transamerica Title Co.
this 19th day of June A.D. 19 81 at 4:12 o'clock P.M., and
duly recorded in Vol. M81, of Deeds on Page 11125
EVELYN BIEHN, County Clerk
By *Debra A. Jensen*

Return to:
Transamerica Title Ins. Co
600 Main St.
Klamath Falls, OR 97601

Fee \$10.50

3. EASEMENT