

13723

EASEMENTVol. MDRago 5189THIS 1st day of July, 1982.

In consideration of the sum of Ten Dollars (\$10.00),

ROBERT BOGATAY, hereinafter called Grantor, conveys to DAVID HENZEL and JOANN HENZEL, husband and wife, their heirs, successors and assigns, hereinafter called Grantees, a perpetual, non-exclusive easement to use a strip of land, more particularly described as follows, across the property of Grantor:

A portion of the northerly 125' of Lot 1, Block 43, "HILLSIDE ADDITION" to the City of Klamath Falls, more particularly described as follows:

Beginning at a point on the easterly line of said Lot 1, said point being S 21° 14' E 125.0 feet from the northeast corner of Lot 1; thence S 68° 46' W., 43.0 feet, thence N 48° 21' 24" E. 45.9 feet to the easterly line of Lot 1; thence S 21° 14' E., 16.0 feet to the point of beginning.

The terms of this easement are as follows:

1. Grantees, their agents, independent contractors and invitees, shall use the easement strip for driveway purposes only, for access to the property described hereinafter as belonging to Grantees and in conjunction with such use may construct, re-construct, maintain and repair the surface thereof.

2. This easement is appurtenant to the real property owned by Grantor and described hereinafter. This easement shall be perpetual; however in the event that it is not used by Grantees for a period of three (3) years, or if otherwise abandoned by Grantees, the easement shall automatically expire, and Grantees, their heirs, successors or assigns shall upon request execute a recordable document evidencing such expiration.

EASEMENT


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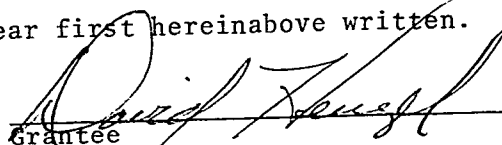
3. This easement is granted subject to all prior easements or encumbrances of record.

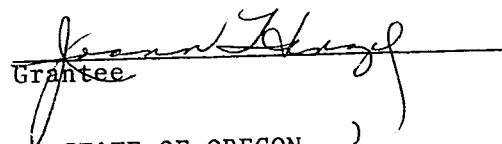
4. Following is a description of Grantees' property to which this easement is appurtenant:

The Southeasterly 25 feet of Lot 1; all of Lot 2, less the Southwesterly 20 feet thereof; and the Northwesterly one-half of Lot 3, less the Southwesterly 20 feet thereof; in Block 43 of HILLSIDE ADDITION to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

In Witness Whereof, the parties have caused this instrument to be executed the day and year first hereinabove written.


Grantor


Grantee

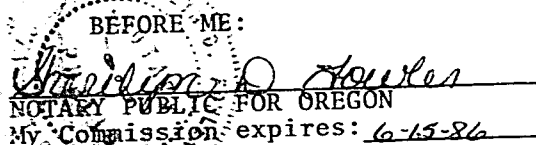

Grantee

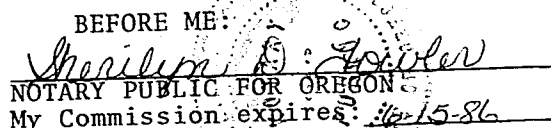
STATE OF OREGON)
County of Klamath) ss.

STATE OF OREGON)
County of Klamath) ss.

Personally appeared the above-named ROBERT BOGATAY, and acknowledged the foregoing instrument to be his voluntary act and deed.

Personally appeared the above-named DAVID HENZEL and JOANN HENZEL, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

NOTARY PUBLIC FOR OREGON
My Commission expires: 6-15-86

BEFORE ME:

NOTARY PUBLIC FOR OREGON
My Commission expires: 6-15-86

After recording return to:
Mr. Blair M. Henderson
426 Main Street, Klamath Falls, OR 97601

EASEMENT
PAGE TWO

STATE OF OREGON: COUNTY OF KLAMATH :ss
I hereby certify that the within instrument was received and filed for record on the 19 day of July A.D., 1982 at 3:05 o'clock p M, and duly recorded in Vol. M 82, of Deeds on page. 9189

EVELYN BIEHN COUNTY CLERK
by  Deputy

Fee \$ 8.00