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AGREEMENT FOR EASEMENT

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THIS AGREEMENT, Made and entered into this 28th day of September, 19 82, by and between ERNEST E. WISEMAN and GRACE L. WISEMAN, husband and wife hereinafter called the first party, and STATE OF OREGON BY AND THROUGH THE DIRECTOR OF VETERANS' AFFAIRS, 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: A tract of land situated in Section 33, T38S, R11½E,

Klamath County, Oregon being more particularly described as follows:

Beginning at a point on the one-sixteenth section line from which the SW corner of the SE¼ SE¼ of said Section 33 bears S00° 13' 15" W, 1322.60 feet; thence N00° 13' 15" E on said one-sixteenth line, 1636.98 feet to a point on the south right of way line of the Klamath Falls-Lakeview Highway; thence easterly on said right of way line along the arc of a curve to the left (Radius=1482.40) 547.63 feet; thence, leaving said right of way line, South 1607.06 feet; thence, West 550.00 to the point of beginning, containing 20.15 acres, excepting that property as described in Exhibit B attached hereto.

REVID
(OFFICIAL)

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 a thirty foot (30.00') wide roadway easement for the purpose of Ingress and Egress, the centerline of which is described as follows: Commencing at the S.W. Corner of the S.E. ¼ of the S.E. ¼, Section 33, T.38S., R.11½E., W.M., thence, N00 13' 15"E, 2,959.58 feet along the west line of the E. ½ of the S.E. ¼ to a point on the south Right of Way line of the Klamath Falls-Lakeview Highway, Thence, easterly along said Right of Way line 279.00 feet along the arc of a non-tangent curve to the left, through a central angle of 10 47' 00", a radius of 1,482.40 feet, subtended by a chord bearing S81 39' 36"E 278.58 feet to the True Point of Beginning. Thence, South 55.00 feet. Thence, West 81.54 feet. Thence, S31 12' 00"W 110.58 feet, to a point on the north line of that certain parcel of land described in Exhibit B attached hereto, at a point from which the N.W. Corner thereof bears, West 137.54 feet.

(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~~ be perpetual & run, with the land however, to the following specific conditions, restrictions and considerations: Any conditions, covenants, easements and restrictions now of record or apparent to the land.

RECORDED IN PUBLIC RECORDS (RECORDED IN PUBLIC RECORDS)

IT IS HEREBY CERTIFIED THAT THIS AGREEMENT IS THE TRUE AND CORRECT COPY OF THE ORIGINAL AS FILED FOR RECORD IN THE PUBLIC RECORDS OF THE COUNTY OF Klamath, STATE OF OREGON.

13105

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: (described on reverse hereof)

The easement described upon said real estate, bearing as of record a certain deed of conveyance, and second party's right of way shall be parallel with said center line and not more than 15 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.)

(ORS 93.490)

STATE OF OREGON

County of Clatsop

October 7, 1982

Personally appeared the above named Ernest E. Wiseman and Grace L. Wiseman

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires: 11-24-85

STATE OF OREGON, County of Clatsop

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Personally appeared

and

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

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

County of Clatsop AND

MAHEBEY: 11-24-85

AFTER RECORDING RETURN TO

DVA
124 North Fourth Street
KFO 97601

STATE OF OREGON

County of Clatsop

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 of said county.

Record of Witness my hand and seal of County affixed.

Recording Officer

By

Deputy

13463

EXHIBIT B:

All that portion of real property situated in Section 33, Township 38 South, Range 11½ East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at a point on the one-sixteenth section line from which the Southwest corner of the SE¼ of the SE¼ said Section 33, bears South 00° 13' 15" West, 1,322.60 feet; thence North 00° 13' 15" East, 1,236.98 feet to the true point of beginning; thence North 00° 13' 15" East, 210.00 feet; thence East 207.50 feet; thence South 00° 13' 15" West, 210.00 feet; thence West 207.50 feet to the true point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record

This 8 day of Oct A.D. 1982 at 10:38 o'clock A.M.duly recorded in Vol. M 82, of Deeds on p. 13461

Fee \$12.00

By Joyce M. Brown
EVELYN BROWN, County Clerk

RETURN TO:

DVA

124 North Fourth Street
KFO 97601

Attn: Michael Schneyder