

20084

EASEMENT

Vol. 1183 Page 1729

For Automobile Runway, Adjoining Parcels (Grant Type)

THIS AGREEMENT, Made and entered into this day of November, 1982.,

between Allan G. Klus and Irene R. Klus, husband and wife, as tenants by the entirety an undivided one-half interest; and Robert M. Gion and Virginia L. Gion, husband and wife, as tenants by the entirety, an undivided one-half interest, As tenants in common

hereinafter called the first parties, and Ross Loveland Jr. and Carolyn Sue Loveland, husband and wife

hereinafter called the second parties, WITNESSETH:

WHEREAS, the first parties are the owners in fee simple of The following described real property, located in Klamath County, State of Oregon, SEE EXHIBIT A

County, Oregon, and the second parties are the owners in fee simple of The following described real property, located in Klamath County, State of Oregon, SEE EXHIBIT B.

County, Oregon, and said two parcels of real estate adjoin each other; and

WHEREAS, the parties desire to grant to each other an easement and right to use a certain automobile runway now or about to be constructed along the Exhibit C & E line of the first parties' property and the See Exhibit D & E line of the second parties' property;

NOW, THEREFORE, in consideration of One (\$1.) Dollar and other valuable considerations each to each in hand paid, the receipt of which is hereby acknowledged:

FIRST: The first parties have sold and do hereby grant, bargain, sell and convey unto the second parties, their heirs and assigns, the right to use at all times the whole of said automobile runway, including that portion thereof situated on the See Exhibit C & E feet of the said property of the first parties, said use to be confined to the ingress and egress of automobiles to and from the garage now situated or hereafter to be constructed on the second parties' property and the uses incidental thereto.

TO HAVE AND TO HOLD the same unto the said second parties, their heirs and assigns forever.

SECOND: The second parties have sold and do hereby grant, bargain, sell and convey unto the first parties, their heirs and assigns, the right to use at all times the whole of said automobile runway including that portion thereof now situated on the See Exhibit D & E feet of said property of the second parties, said use to be confined to the ingress and egress of automobiles to and from the garage now situated or hereafter to be constructed on the first parties' property and the uses incidental thereto.

TO HAVE AND TO HOLD the same unto the said first parties, their heirs and assigns forever.

THIRD: In construing the foregoing agreement, the plural shall mean and include the singular wherever the context so requires.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals in duplicate on this day and year first hereinabove written.

[Signature] (SEAL)
[Signature] (SEAL)
[Signature] (SEAL)
[Signature] (SEAL)
[Signature]

81 01 NOV 1982

STATE OF OREGON,

County of Umatilla } ss.

BE IT REMEMBERED, That on this 14 day of January, 1983, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Ross Loveland Jr.

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

M. L. Hales
Notary Public for Oregon.

My Commission expires June 16, 1986

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

STATE OF OREGON,

County of Klamath } ss.

BE IT REMEMBERED, That on this 20th day of January, 1983, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Carolyn Sue Loveland

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]
Notary Public for Oregon.

My Commission expires June 16, 1986

EASEMENT

(FORM No. 648)

BETWEEN

Allan C. Klus and Irene R. Klus
Robert M. Gion and Virginia L. Gion.

AND

Ross Loveland Jr. and Carolyn
Sue Loveland

STATE OF OREGON,

County of Klamath } ss.

I certify that the within instrument was received for record on the day of November 1982

at o'clock M., and recorded in book on page

Record of

of said County.

Witness my hand and seal of County affixed.

Title.

Deputy.

By

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

THOMAS R. KLUS

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

STATE OF OREGON,

County of Klamath } ss.

BE IT REMEMBERED, That on this 1 day of Feb, 1983, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named THOMAS R. KLUS

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Bernetha P. Hales
Notary Public for Oregon.

My Commission expires 12-29-85

STATE OF OREGON,

County of Klamath } ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 1 day of February, 1983,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named VIRGINIA L. GION

known to me to be the identical individual described in and who executed the within instrument and
acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.

Bernetha D. Letch
Notary Public for Oregon.
My Commission expires 12-29-85

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STATE OF OREGON,

County of Klamath } ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 1st day of February, 1983,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named ROBERT M. GION

known to me to be the identical individual described in and who executed the within instrument and
acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.

Bernetha D. Letch
Notary Public for Oregon.
My Commission expires 12-29-85

STATE OF OREGON,

County of Klamath } ss.

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 2nd day of February, 1983,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named Allan Klus

known to me to be the identical individual described in and who executed the within instrument and
acknowledged to me that his executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.

Bernetha D. Letch
Notary Public for Oregon.
My Commission expires 12-29-85

EXHIBIT A

A PORTION OF THE NW $\frac{1}{4}$ OF SECTION 35 AND THE NE $\frac{1}{4}$ OF SECTION 34, TOWNSHIP 33 SOUTH, RANGE 7 $\frac{1}{2}$ EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE N.E. CORNER OF N.W. $\frac{1}{4}$ OF THE N.W. $\frac{1}{4}$ OF SECTION 35, TOWNSHIP 33 S., RANGE 7 $\frac{1}{2}$ E. OF THE WILLAMETTE MERIDIAN; THENCE SOUTH 89 DEGREES 45 MINUTES 11 SECONDS WEST, ALONG THE NORTH LINE OF SAID SECTION 35, A DISTANCE OF 1328.40 FEET MORE OR LESS TO THE N.W. CORNER OF SAID SECTION 35; THENCE SOUTH 89 DEGREES 52 MINUTES 28 SECONDS WEST, ALONG THE NORTH LINE OF SECTION 34 TOWNSHIP 33 SOUTH RANGE 7 $\frac{1}{2}$ EAST OF THE WILLAMETTE MERIDIAN A DISTANCE OF 379.40 FEET; THENCE SOUTH 00 DEGREES 7 MINUTES 32 SECONDS EAST A DISTANCE OF 30 FEET THENCE NORTH 89 DEGREES 52 MINUTES 28 SECONDS EAST, ON A LINE PARALLEL TO AND 30 FEET DISTANCE FROM THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 379.50 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID SECTION 34; THENCE NORTH 89 DEGREES 45 MINUTES 11 SECONDS EAST, ON A LINE PARALLEL TO AND 30 FEET DISTANCE FROM THE NORTH LINE OF SAID SECTION 35, A DISTANCE OF 1328.44 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF THE N.W. $\frac{1}{4}$ OF N.W. $\frac{1}{4}$ OF SAID SECTION 35; THENCE NORTH ALONG THE EAST LINE OF THE SAID N.W. $\frac{1}{4}$ OF THE N.W. $\frac{1}{4}$ A DISTANCE OF 30 FEET TO THE POINT OF BEGINNING.

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EXHIBIT B

A PARCEL OF LAND SITUATED IN SECTIONS 34 AND 35, TOWNSHIP 33 SOUTH, RANGE 7 $\frac{1}{2}$ EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE N.E. CORNER OF THE N.W. $\frac{1}{4}$ OF N.W. $\frac{1}{2}$ OF SECTION 35, TOWNSHIP 33 SOUTH, RANGE 7 $\frac{1}{2}$ EAST OF THE WILLAMETTE MERIDIAN; THENCE SOUTH 7.64 CHAINS; THENCE WEST IN A STRAIGHT LINE TO THE WATER EDGE OF WOOD RIVER ON THE NEAR SIDE; THENCE UPSTREAM ALONG WATER EDGE OF WOOD RIVER TO NORTH BOUNDARY OF LOT NINE OF SECTION 34 SAID TOWNSHIP AND RANGE THENCE EAST TO THE POINT OF BEGINNING.

GION-KLUS to LOVELAND

LEGAL DESCRIPTION

for

INGRESS and EGRESS EASEMENT

Exhibit C

A strip of land 30 feet in width and 708.38 feet in length lying along the North Line of Sections 34 and 35 T33S R7 $\frac{1}{2}$ E, W.M., Klamath County, Oregon said strip being more particularly described as the West 708.38 feet of that tract of land described in Volume M-74 at page 10316, DEED RECORDS OF KLAMATH COUNTY, OREGON.

LOVELAND to GION-Klus

LEGAL DESCRIPTION

FOR

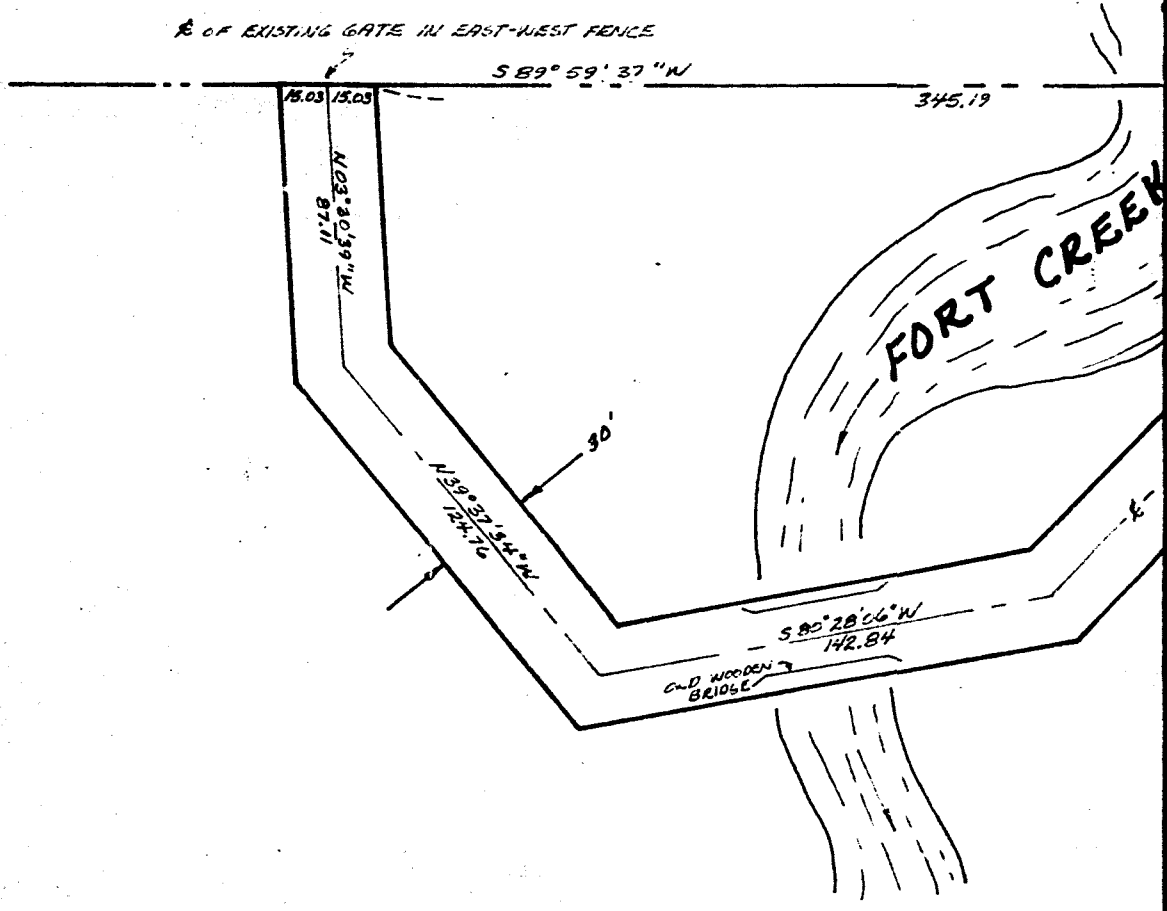
INGRESS and EGRESS EASEMENT

Exhibit D

A strip of land 30 feet in width, situated in the NE $\frac{1}{4}$ of Section 34, T33S R7 $\frac{1}{2}$ E, W.M., Klamath County, Oregon, the center line of said strip being more particularly described as follows:

Beginning at a point 15.00 feet south of the North Line of said Section 34 from which the Northeast Corner of said Section 34 bears N 87° 43' 48" E, 379.70 feet; thence along said centerline the following courses and distances: S 89° 59' 37" W, 152.00 feet; thence S 44° 15' 53" W, 201.68 feet; thence S 80° 28' 06" W, 142.84 feet; thence N 39° 37' 34" W, 124.76 feet; thence N 03° 30' 39" W, 87.11 feet to the North Line of said Section 34.

KLUS & GION PROPERTY



~~EXHIBIT~~ E
Exhibit

MAP OF SURVEY

FOR

ROAD EASEMENT

IN

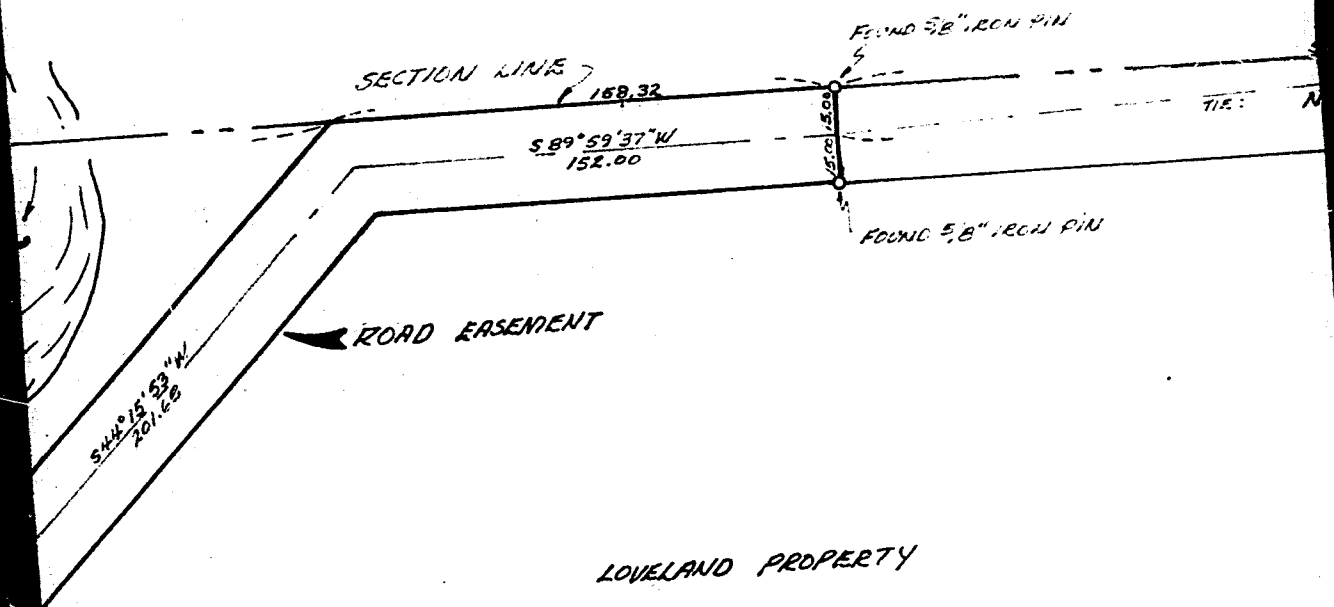
SECTION 34 T33S R7½E, W.M.
KLAMATH CO., OREGON

1734



SCALE 1"=50'

NOTE: BEARINGS BY
RECORDED S



1733

1735

BASED ON
SURVEY NO. 3259

SECTION CORNER
FOUND 1 1/2" IRON PIPE
WITH BRASS CAP

89°59'37"W 379.40

87°43'48"E 379.10

27

26

34

35

NOTE: THIS PARCEL IS CONTAINED
IN DEED VOLUME M-74 PAGE 10316
KLAMATH COUNTY DEED RECORDS

SURVEYED FOR: ROBERT GION OCT. 27, 1982

SURVEYED BY: GRESDEL & ASSOCIATES
1616 PLEASANT AVE.
KLAMATH FALLS, OREGON

STATE OF OREGON,
County of Klamath)

Filed for record at request of

Irene Klus

on this 2nd day of February A.D. 19 83

at 10:18 o'clock A M, and duly

recorded in Vol. M83 of Deeds

page 1729

EVELYN BIEHN, County Clerk

By Berntha Helo Deputy

Fee \$28.00

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 8, 1966
DONALD A. GRESDEL
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