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EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that BRENT KAP and KATHLEEN KAP, husband and wife, Grantors, for and in consideration of Ten and 00/100 Dollars and other good and valuable consideration to them in hand paid by GILBERT L. MOREY and EVA L. MOREY, husband and wife, Grantees, receipt of which is hereby acknowledged, do hereby give and grant unto Grantees, their heirs, successors and assigns, a perpetual, non-exclusive easement, (the "Easement"), 30 feet in width, for the use and maintenance of the existing access road lying within such Easement, which shall be located along and immediately adjacent to the easterly-most boundary of the property situated in Section 12, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, which is described as follows:

Beginning at a point of the south line of the SE 1/4-NW 1/4 of Section 12, T. 38S., R. 8E., W.M. from which the Center 1/4 Section corner of said Section 12 bears S. 89°47'18" East 1116.00 feet distant, said point being on the center line of a 60 foot wide road easement; thence N89°47'18" W 204.00 feet to a 1/2" iron pin marking the southwest corner of said SE 1/4-NW 1/4; thence N0°09'E 536.79 feet along the west line of said SE 1/4-NW 1/4 to a 1/2" iron pin; thence S 89°47'18" E 125.00 feet to a point on the centerline of a 60 foot wide road easement; thence along said centerline S3°18'25" E 86.68 feet and S 9°09'10" E 456.35 feet to the point of beginning, containing 1.98 acres, more or less.

Said Easement shall be used for ingress and egress to and from that certain real property (the "Subject Property") situated in the SW 1/4 of Section 12, Township 38 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon and more particularly described in Exhibit "A", which is attached and incorporated herein by reference.

The Subject Property and the Easement granted hereby shall be used for single family residential purposes only. Grantees, their heirs, successors or assigns shall have no right to use the Easement for any other purpose.

Grantees, their heirs, successors and assigns agree to indemnify and defend Grantors, their heirs, successors and assigns from any loss, claim or liability to Grantors, arising in any manner out of Grantees' use of the Easement. Grantees assume all risk arising out of their use of the Easement and Grantors shall have no liability to Grantees or

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others for any condition existing thereon, nor shall Grantors have any obligation to maintain the Easement roadway.

IN WITNESS WHEREOF, Grantors have executed this Easement Agreement this 5 day of ~~October~~ <sup>September</sup>, 1987.

GRANTEES:

GILBERT L. MOREY

EVA L. MOREY

GRANTORS:

Brent Kap

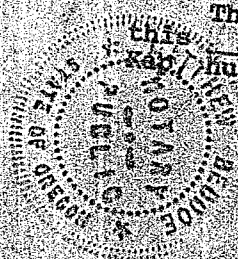
KATHLEEN KAP

STATE OF OREGON

COUNTY OF KLAMATH

ss.

The foregoing instrument was acknowledged before me this 5 day of ~~October~~ <sup>September</sup>, 1987, by Brent Kap and Kathleen Kap, husband and wife.



Matthew Reddick

Notary Public for Oregon

My Commission expires: 9-14-87

STATE OF OREGON

COUNTY OF KLAMATH

ss.

The foregoing instrument was acknowledged before me this 5 day of October, 1987, by Gilbert L. Morey and Eva L. Morey, husband and wife.

Notary Public for Oregon  
My Commission expires: \_\_\_\_\_



Beginning at a 5/8" iron pin on the north line of the S<sub>2</sub> of Government Lot 6, said corner being S.00°03'29"W., 651.50 feet and N.89°42'28"W., 443.01 feet from the C<sub>4</sub> corner of said Section 12; thence N.89°42'28"W., 1385.80 feet along said north line to the high water line of Upper Klamath Lake; thence northwesterly along said high water line to the south line of that parcel of land conveyed to Harold S. Tice and Lana Tice by deeds recorded in M78 at pages 28464 and 28465; thence S.89°42'28"E., 234.24 feet more or less along the south line of said Tice parcel to the southeast corner thereof; thence N.00°17'32"E., 113.62 feet along the east line of said Tice parcel to the westerly prolongation of the south line of that parcel of land conveyed to Oliver R. Spires II and wife by deed recorded in M77 at page 23567; thence S.89°42'28"E., 1086.11 feet along the south line of said Spires parcel to the west line of that parcel of land conveyed to James W. Chamberland and wife by deed recorded in M79 at page 1454; thence S.17°24'13"E., 227.13 feet along the west line of said Chamberland parcel to the point of beginning, containing 6.12 acres more or less, with bearings based on Record of Survey No. 2519.

BK  
BK  
KK  
KK

GLM

ELM

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the 25th day  
of November A.D. 19 87 at 2:38 o'clock P.M., and duly recorded in Vol. M87  
of \_\_\_\_\_ Deeds on Page 21333

Evelyn Richa, County Clerk

FEE \$15.00

Ret: Gilbert Morey Rt. 5, Box 1401 Klamath Falls, Oregon 97601

EXHIBIT A