

82596

## GRANT OF ROADWAY EASEMENT

Vol. M87 Page 22415

This grant of easement is by and between GENE D. SPILLANE and VIRGINIA G. SPILLANE, hereinafter referred to as "the owners of parcel 1"; and MARGURETTE L. ALBERT and WILMA F. HARPER, hereinafter referred to as "the owners of parcel 2."

Parcel 1 is a portion of the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 3 Township 40 South, Range 13 East of Willamette Meridian in the County of Klamath, State of Oregon, denominated as Tax Lot No. 4013-31000.

Parcel 2 is all that portion of the Southwest 1/4 lying Northerly and Easterly of the U.S.B.R. Lost River Channel Improvement, Northwest 1/4 Southeast 1/4 of Section 3, Township 40 South, Range 13 East of the Willamette Meridian, in the County of Klamath, State of Oregon, denominated as Tax Lot No. 4013-300-1100.

In consideration of the sum of FIVE HUNDRED DOLLARS (\$500), receipt of which is hereby acknowledged, the owners of parcel 1, for themselves, their heirs and assigns, hereby grant to the owners of parcel 2, their heirs and assigns, a roadway easement over and across the Northern boundary of parcel 1, 40 feet in width, and running parallel to the existing drainage ditch also running along said Northern boundary. The roadway easement shall be for the purpose of giving the owners of parcel 2 ingress and egress to parcel 2 from Gale Road.

The owners of parcel 2 may, at their option and sole expense, construct and maintain an all-weather road across the easement created herein.

The easement granted herein shall run with the land as to all properties burdened and benefitted by such easement, including any division or partition of said property. The rights, covenants and obligations contained in this agreement shall bind, burden, and benefit each party's successors, assigns, lessees, mortgagees, or beneficiaries under a deed of trust. Notwithstanding the foregoing, this easement shall be extinguished in the event that parcel 2 comes into the ownership of Richard Barrett or Willie Mendenhall.

*Gene D. Spillane*  
GENE D. SPILLANE  
*Virginia G. Spillane*  
VIRGINIA G. SPILLANE

STATE OF OREGON, County of Klamath) ss.

Personally appeared the above-named GENE D. SPILLANE and acknowledged the foregoing instrument to be his voluntary act and deed.

*Leona M. Huffman*  
LEONA M. HUFFMAN  
NOTARY PUBLIC - OREGON  
My Commission Expires 10/21/90

*Leona M. Huffman*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/21/90

STATE OF OREGON, County of Klamath) ss.

Personally appeared the above-named VIRGINIA G. SPILLANE and acknowledged the foregoing instrument to be her voluntary act and deed.

*Leona M. Huffman*  
LEONA M. HUFFMAN  
NOTARY PUBLIC - OREGON  
My Commission Expires 10/21/90

*Leona M. Huffman*  
NOTARY PUBLIC FOR OREGON  
My Commission Expires: 10/21/90

STATE OF OREGON, County of Klamath) ss.

I certify that the within instrument was filed in my office on the 16th day of December, 1987 at 11:10 o'clock A.M., and recorded in Volume M 87 at Page 22415, of the Official Records of Klamath County, Oregon.

AFTER RECORDING, RETURN TO:

Michael C. Miller

601 Main Street, Suite 210

Klamath Falls OR 97601-6007

Fee: \$5.00

EVELYN BIEHN, COUNTY CLERK

By *Pat Smith*

Deputy