

*Ret. Fladel, Todd & Nylander, Htgs  
Box 547  
North Bend, Ore 97459*

## ROADWAY EASEMENT

LEM LARRY NICHOLS and CAROLYN M. NICHOLS, husband and wife, and CECIL R. PITTMAN and ALETA O. PITTMAN, husband and wife, Grantors, convey to KEN L. JORDAN, Grantee, his heirs, successors and assigns, a permanent non-exclusive easement, subject to liens and encumbrances of record, to use a strip of land 15 feet wide for roadway purposes. Said strip of land is located alongside and parallel to the Westerly boundary of Grantor's property described as follows:

A parcel of land situated in Section 25, Township 24 South, Range 8 EWM, more particularly described as follows: Commencing at the Northwest corner of the SE 1/4 of said Section 25; thence South 00°07'03" West along the West line of said SE 1/4 100 feet to the point of beginning for this description; thence continuing South 00°07'03" West along said West quarter section line 530.54 feet; thence leaving said West quarter section line East 510.11 feet to the Westerly boundary of River West, a duly recorded subdivision in said Klamath County; thence North along said Westerly subdivision boundary, 391.26 feet to the Northerly right of way line of Elk Drive; thence West 20 feet; thence North 141.94 feet to the Northwest corner of Lot 1 in Block 1 of said River West; thence South 89°41'19" West 489.04 feet to the point of beginning.

Excepting therefrom that portion of the above-described property heretofor conveyed by Grantors to RICK JENKINS and ANNE JENKINS, husband and wife, by Warranty Deed recorded October 29, 1981, in Volume M81, Page 18867, Microfilm Records of Klamath County, Oregon.

RESERVING however unto Grantors, their heirs, successors and assigns, the right and privilege to use said roadway.

The additional terms of this Easement are as follows:

1. Grantee, his agents, invitees, heirs, successors and assigns, shall use the easement strip for road purposes only and as a means of access and egress over an existing roadway that extends from the Odell-Crescent County Road, to the Grantee's property which abutts the above-described property of the Grantors on the South. Only a portion of said roadway is located on the above described property of Grantors.
2. Grantee agrees to be responsible for the upkeep and maintenance of the road and to indemnify and defend Grantors from any loss, claim or liability of other

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persons arising in any manner out of Grantee's use, maintenance or upkeep of the easement strip. Grantee assumes all risks arising out of the use of the easement strip and Grantors shall have no liability to Grantee or others for any condition existing thereon;

3. This easement is appurtenant to the real property owned by the Grantor which abutts Grantee's property on the South; and
4. It is understood by the Grantee that this easement is subject to prior easements granted to the Crescent Water Association for water lines and that said water lines may be located, now or in the future, underneath the existing roadway on the easement strip.

The true and actual consideration paid for this easement is the sum of \$800.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

DATED this 9<sup>th</sup> day of November, 1987.

## GRANTORS

Lem Larry Nichols  
LEM LARRY NICHOLS

Carolyn M. Nichols  
CAROLYN M. NICHOLS

Cecil R. Pittman  
CECIL R. PITTMAN

Aleta O. Pittman  
ALETA O. PITTMAN

## GRANTEE

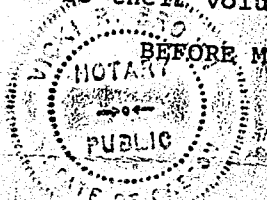
Ken L. Jordan  
KEN L. JORDAN

STATE OF Oregon )  
County of Coos ) ss.

DATED this 23<sup>rd</sup> day of October, 1987.

Personally appeared the within named LEM LARRY NICHOLS and CAROLYN M. NICHOLS, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:



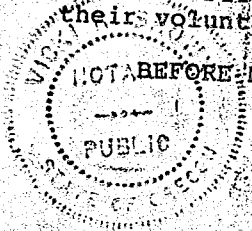
Vicki R. Brown  
NOTARY PUBLIC FOR OREGON  
My comm. expires: 9-17-90

STATE OF OREGON )  
County of Coos ) ss.

DATED this 9<sup>th</sup> day of November, 1987.

Personally appeared the within named CECIL R. PITTMAN and ALETA O. PITTMAN, and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:



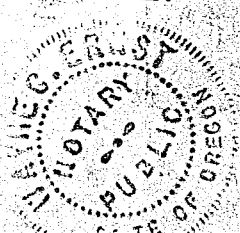
Vicki R. Brown  
NOTARY PUBLIC FOR OREGON  
My comm. expires: 9-17-90

STATE OF OREGON )  
County of KLAMATH ) ss.

DATED this 30 day of OCTOBER, 1987.

Personally appeared the within named KEN L. JORDAN and acknowledged the foregoing instrument to be his voluntary act and deed.

BEFORE ME:



Wayne R. East  
NOTARY PUBLIC FOR OREGON  
My comm. expires: 9/8/91

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Flaxel, Todd & Nylander, Attorneys at Law the 17th day of December A.D., 19 87 at 11:58 o'clock A M., and duly recorded in Vol. M87 of Deeds on Page 22484.

FEE \$15.00

Evelyn Biehn, County Clerk  
By DAM Smith