

91865

AGREEMENT FOR EASEMENT

Vol. 1188 Page 15312

THIS AGREEMENT, Made and entered into this 6 day of September, 1988, by and between CHARLES V. SHUCK AND JOANNA M. SHUCK, husband and wife hereinafter called the first party, and DANIEL J. SHUCK AND TAMMY ANN SHUCK, husband and wife 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:

SEE ATTACHED EXHIBIT "C"

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

An easement for drainfield and maintainance thereof over and across the real property of the First Party described in Exhibit "C" and appurtenant to the real property of the Second Party described in Exhibit "B".

(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 perpetuity, always subject, however, to the following specific conditions, restrictions and considerations:

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:

See attached Exhibit "A"

and second party's right of way shall be parallel with said center line and not more than 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.

[Signature]
Daniel J. Shuck

Tammy Ann Shuck
Charles V. Shuck
Joanna M. Shuck

(If the above named first party is a corporation, use the form of acknowledgment opposite.)

STATE OF OREGON,
County of Klamath } ss.
September 6, 1988

STATE OF OREGON, County of) ss.
Personally appeared

Tammy Shuck, Charles V. Shuck & Joanna Shuck

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

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.

Notary Public for Oregon
My commission expires:

(OFFICIAL SEAL)

Before me:
[Signature]
Notary Public for Oregon
My commission expires: 10/11/89

AGREEMENT
FOR EASEMENT
BETWEEN

STATE OF OREGON,
County of } ss.

I certify that the within instrument was received for record on the day of 19..... at o'clock..... M., and recorded in book/reel/volume No. on page or as document/fee/tile/instrument/microfilm No.

Record of of said County.
Witness my hand and seal of County affixed.

By TITLE Deputy

SPACE RESERVED
FOR
RECORDER'S USE

AFTER RECORDING RETURN TO

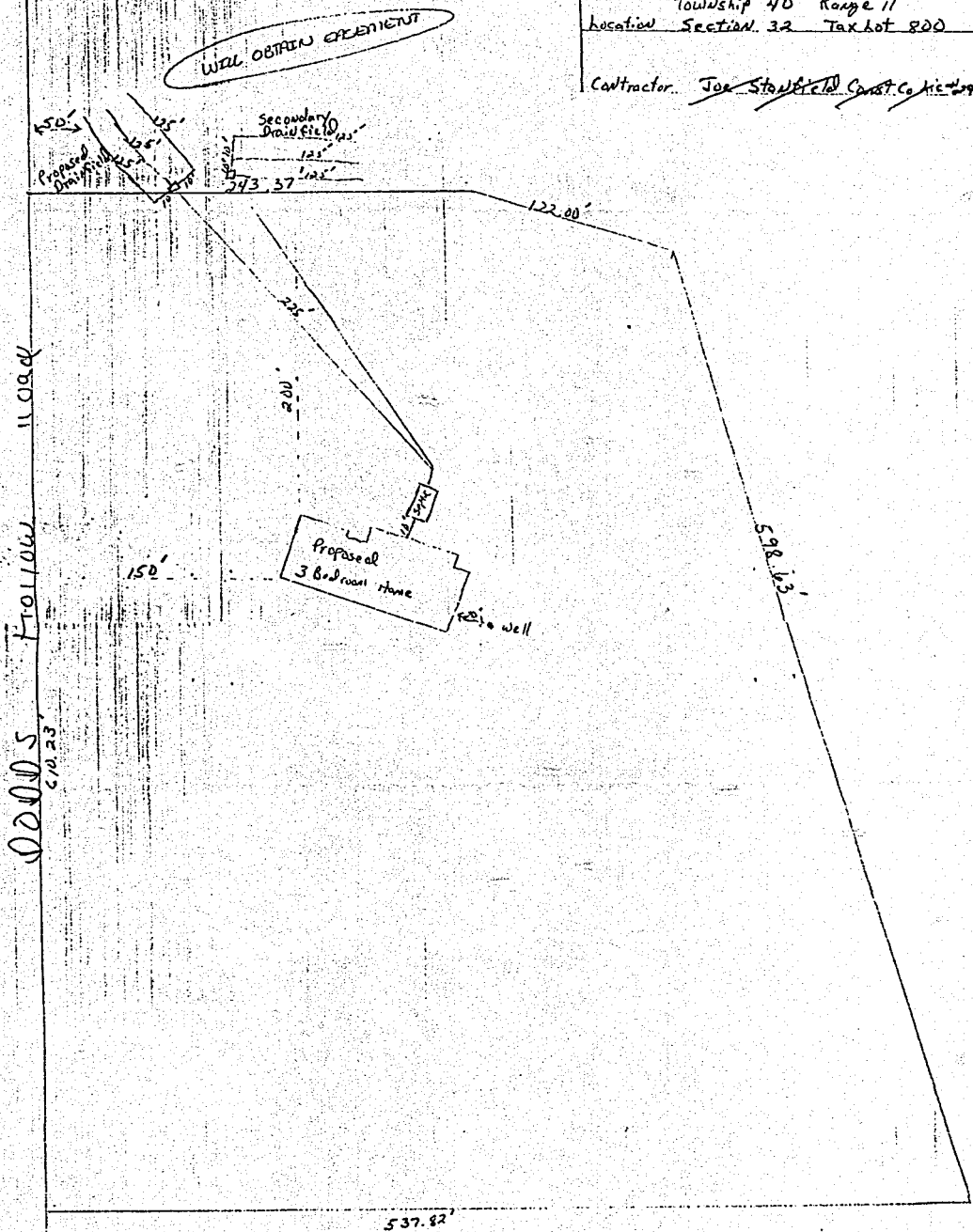
Klamath 1st Federal
540 Main St
Klamath Falls OR 97601

MINOR PARTITION
80-19

EXHIBIT "A"

PLOT PLAN

Dan + Tammy Shuck
Scale 2" = 100'
Township 40 Range 11
Location Section 32 Tax Lot 800
Contractor: Joe Stansfeld Const. Co. Inc. 49070



READ AND APPROVED AS TO
FORM AND CONTENT

✓ Charles V. Shuck
✓ Joanna M. Shuck
✓ Daniel J. Shuck
✓ Tammy Ann Shuck

EXHIBIT "B"

A tract of land being a portion of Parcel 1 of Minor Land Partition 80-19 situated in the E1/2 SE1/4 of Section 32, Township 40 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows, to wit:

Beginning at the Southwest Corner of said Parcel 1, from which the Southeast Corner of said Section 32 bears South 44 degrees 36' 16" East 1836.79 feet; thence North 00 degrees 09' 01" East, along the Easterly right-of-way line of the County Road, 610.23 feet; thence North 88 degrees 54' 00" East 243.37 feet; thence South 70 degrees 24' 08" East 122.00 feet; thence South 17 degrees 17' 40" East 598.65 feet to a point on the South line of said Parcel 1; thence South 89 degrees 44' 41" West, 537.82 feet to the point of beginning, with bearings based on Recorded Survey No. 2522.

Tax Account No.: 4011-03200-00801

READ AND APPROVED AS TO
FORM AND CONTENT

Charles V. Shuck

Joanna M. Shuck

Daniel J. Shuck

Tammy Ann Shuck

[Handwritten signatures of Charles V. Shuck, Joanna M. Shuck, Daniel J. Shuck, and Tammy Ann Shuck]

EXHIBIT "C"

A tract of land being a portion of Parcel 1 of Minor Land Partition 80-19 situated in the E $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T40S, R11EWM, Klamath County, Oregon, more particularly described as follows, to-wit:

A parcel of land consisting of 101.6 acres, more or less, located in the E $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32 and in the W $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T40S, R11EWM, Klamath County, Oregon, more particularly described as follows: Beginning at an iron pipe marking the $\frac{1}{4}$ section corner common to said Sections 32 and 33; thence N 89°35'00" East, along the east-west centerline of said Section 33, 560.7 feet to an iron pipe; thence S 00°00'45" E 2369.3 feet to an iron pipe; thence S 89°56'45" W 1870.00 feet to an iron pipe on the easterly right of way boundary of the County Road as the same is presently located and constructed on the ground (said County Road right of way deed being recorded at Pages 387 and 389, Volume 118, Deed Records of Klamath County); thence North, along the said easterly County Road right of way boundary, 2364.5 feet to a point on the east-west centerline of said Section 32; thence N 89°55'30" E, along the east-west centerline of the said Section 32, 58.00 feet to an iron pipe reference monument; thence continuing N 89°55'30" E 1251.1 feet, more or less, to the point of beginning, with bearings and distances based on Survey No. 880 as recorded in the office of the Klamath County Surveyor.

EXCEPTING THEREFROM: The southerly 1035.00 feet of the above-described tract.

ALSO EXCEPTING THEREFROM: Beginning at the Southwest Corner of said Parcel 1, from which the Southeast Corner of Said Section 32 bears S 44°36'16" E 1836.79 feet; thence N 00°09'01" E, along the Easterly right-of-way line of the County Road, 610.23 feet; thence N 88°54'00" E 243.37 feet; thence S 70°24'08" E 122.00 feet; thence S 17°17'40" E 598.65 feet to a point on the South line of said Parcel 1; thence S 89°44'41" W, 537.82 feet to the point of beginning, containing 6.16 acres, more or less, with bearings based on Recorded Survey No. 2522.

Tax Account No.: 4011-03200-800

READ AND APPROVED AS TO
FORM AND CONTENT

Charles V. Shuck
Joanna M. Shuck
Daniel J. Shuck
Tammy Ann Shuck

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title Co. the 26th day
of Sept. A.D., 19 88 at 12:03 o'clock P M., and duly recorded in Vol. M88
of Mortgages on Page 15912
Evelyn Biehn County Clerk

FEE \$28.00

By Daniel J. Shuck