

ENCROACHMENT AGREEMENT AND EASEMENT

Whereas, Eugene G. Woods and Joan Z. Woods are the owners of the following described parcel:

Lot 4, Block 49 Hot Springs Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk, Klamath Falls, Oregon.

and Whereas, John L. Fowler and Caroline Fowler are the owners of the following described parcel:

Lot 5, Block 49 Hot Springs Addition to the City of Klamath Falls, according to the official plat thereof on file in the office of the County Clerk, Klamath Falls, Oregon.

and for and in consideration of the covenants and conditions hereinafter set forth, said parties Woods and Fowlers agree as follows:

Eugene G. Woods and Joan Z. Woods hereby give and grant to John L. Fowler and Caroline Fowler, their successors and assigns permission to encroach upon a portion of said Lot 4 insofar as structures and improvements are now located;

and John L. Fowler and Caroline Fowler hereby give and grant to Eugene G. Woods and Joan Z. Woods, their successors and assigns permission to encroach upon a portion of said Lot 5 insofar as structures and improvements are now located:

Both parties expressly reserve the right to enter the encroachment area for the purpose of maintaining, repairing and replacing any structures or improvements as they now exist.

Both parties, by execution hereunder, shall save and hold harmless each to the other, any liability for or on account of any damage to property incurred in any manner whatsoever growing out of the use of the privilege herein granted.

In witness whereof, the parties hereto have caused this agreement to be executed this 26th day of October, 1989.

John L. Fowler
Caroline Fowler

Eugene Gregory Woods by
Joan Z. Woods

State of Oregon,)
) ss.
County of Klamath)

Personally appeared the above named Eugene G. Woods / Joan Z. Woods,
John L. Fowler and Caroline Fowler and acknowledged the foregoing instrument
to be their voluntary act and deed.

Before me:

Debra Butcher
Notary Public for Oregon
My commission expires 12-19-92

STATE OF OREGON,

County of Klamath

ss.

On this the 30th day of October, 19 89 personally appeared
Joan Zoe Woods
who, being duly sworn (or affirmed), did say that she is the attorney in fact for
Eugene Gregory Woods and
that she executed the foregoing instrument by authority of and in behalf of said principal; and she acknowl-
edged said instrument to be the act and deed of said principal.

Before me:

Debra Butcher
(Signature)
Escrow Officer Commission Expires 12-19-92
(Title of Officer)

KCTC

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

STATE OF OREGON,

County of Klamath } ss.

BE IT REMEMBERED, That on this 30th day of October, 1989,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named Joan Zoe Woods

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.

Debra Burlingham
Notary Public for Oregon.
My Commission expires 12-19-92

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 31st day
of Oct. A.D., 19 89 at 11:26 o'clock AM., and duly recorded in Vol. M89
of Deeds on Page 20869

FEE \$13.00

Return: K.C.T.C.

Evelyn Biehn, County Clerk
By Pauline Mueller