

EASEMENT

THIS AGREEMENT made this 18th day of June, 1990, between ROBERT McGUIRE and MARY McGUIRE, husband and wife, and WALTER CONNER AND LETA J. CONNER, husband and wife, hereinafter called "Grantors," and HORACE G. KNOX and BARBARA A. KNOX, husband and wife, hereinafter called "Grantees."

RECITALS

1. WHEREAS, Grantors own the fee simple and equitable interest in the real property described in as follows:

All that portion of the NW 1/4 SE 1/4 and S 1/2 SE 1/4 lying Northeasterly of the West Langell Valley Road in Section 22, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon,

hereinafter referred to as "Grantors' parcel," and

2. WHEREAS, Grantees own real property described as:

The NE 1/4 SE 1/4 of Section 22, Township 39 So., Range 11 East of the Willamette Meridian, excepting therefrom a parcel beginning at the Southwest corner of said NE 1/4 SE 1/4 of Section 22; thence North 100 feet; thence East 100 Feet; thence South 100 feet; thence West 100 feet to the point of beginning, all in Klamath County, Oregon,

hereinafter referred to as "Grantee's parcel."

3. FOR CONSIDERATION of \$1.00 and other valuable consideration, the Grantors hereby grant a nonexclusive road easement across its property for the benefit of the Grantees. Said easement is described as follows:

A 60 foot easement for ingress and egress over and across a portion of the SE 1/4 SE 1/4 of Section 22, Township 39 South, Range 11 E.W.M., said easement being 30 feet on each side of the following described center line:

Beginning at a point on the South line of the NE 1/4 SE 1/4 of said Section 22 which bears East a distance of 130 feet from the Southwest corner of said NE 1/4 SE 1/4; thence due South to an intersection with the Northeasterly right-of-way line of the West Langell Valley Road and there terminating.

Said easement shall be a mutual easement for the benefit of both Grantors' and Grantees' parcels and shall run with the land. All expenses, maintenance, repair, and replacement of said road easement shall be prorated among the property owners according to actual use of said easement. In the event that such maintenance and repair contribution is not agreed upon by the parties, then such prorations shall be determined by arbitration where

each party shall appoint an arbitrator, and those arbitrators shall appoint two additional arbitrators. The decision regarding prorating of costs shall be binding upon the parties hereto in an enforceable obligation. Costs of arbitration shall be borne by the parties equally. It is recognized that the legal description for said easement burdens the Grantor's parcel and that the benefit and appurtenance shall be to Grantee's parcel and Grantor's parcel.

If suit or action is instituted to enforce any of the provisions of this Agreement, the party prevailing therein shall be entitled to recover from the other such sum as the Court may adjudge reasonable as attorney's fees therein, including any appeal thereof.

IN WITNESS WHEREOF, the Parties hereto have set their hands on the date first above written.

Robert McGuire
Robert McGuire

Walter Conner
Walter Conner

Mary McGuire
Mary McGuire

Leta J. Conner
Leta J. Conner

Horace G. Knox
Horace G. Knox

Barbara A. Knox
Barbara A. Knox

STATE OF OREGON |
County of Klamath |

On this 18th day of June, 1990, personally appeared me the above named ROBERT MCGUIRE and MARY MCGUIRE, husband and wife, and acknowledged the above to be their voluntary act and deed.

Debra Bentley
Notary Public for Oregon
My Commission expires: 12-19-92

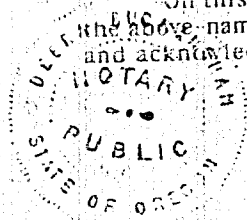
STATE OF OREGON |
County of Klamath |

The foregoing instrument was acknowledged before me this 21st day of June, 1990, by WALTER CONNER AND LETA J. CONNER, husband and

Debra Bentley
Notary Public for Oregon
My Commission expires: 12-19-92

STATE OF OREGON |
 | ss.
 County of Klamath |

On this 18th day of June, 1990, personally appeared before me
 the above-named HORACE G. KNOX and BARBARA A. KNOX, husband and wife,
 and acknowledged the above to be their voluntary act and deed.



Debra Buehler
 Notary Public for Oregon
 My Commission expires: 12-19-92

Return: KCTC

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Title Co. the 21st day
 of June A.D., 19 90 at 1:55 o'clock PM., and duly recorded in Vol. M90,
 of Deeds on Page 12263.

Evelyn Biehn, County Clerk

FEE \$38.00

By *Pauline Muller*

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PROCTOR & FAIRCLO
 ATTORNEYS AT LAW
 280 MAIN STREET
 KLAMATH FALLS, OREGON 97601