

29832

Vol. 191 Page 9900

MTL 25207
EASEMENT

In consideration of the sum of \$1.00 Karen Elizabeth Francis, also known as Karen Elizabeth Conley hereinafter referred to as Grantor, conveys to Richard Henry Francis a single person, hereinafter referred to as Grantees, his heirs, successors, and assigns, a perpetual non exclusive easement appurtenant to use a strip of land fifteen feet wide as described in Exhibit A attached hereto and by reference made part hereof of the following described property of Grantor:

The East 1/2 of the East 1/2 of Section 21, Township 36 South, Range 12 East, Willamette Meridian, Klamath County, Oregon, specifically that portion of which lies North of Highway 140 and subject to all existing rights and matters of record.

The terms of this easement are as follows:

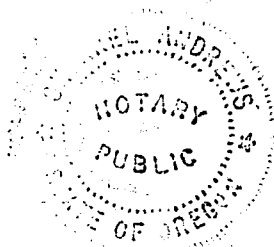
- (1) The Grantee, his agents, independent contractors, invitees, assigns and successors shall use the easement strip for road purposes only for access to the property described in paragraph (6) and in conjunction with such use may construct, reconstruct, maintain and repair a road thereon.
- (2) Grantee agrees to indemnify and defend Grantor from any loss, claim or liability to Grantor arising in any manner out of Grantee's use of the easement strip. Grantee shall pay Grantor for any merchantable timber or other property of Grantor's damaged by Grantee's use of this easement. Grantee assumes all risk arising out of its use of the easement strip and Grantor shall have no liability to Grantee or others for any condition existing thereon.

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- (3) This easement is appurtenant to the real property owned by Grantee as described above.
- (4) This easement shall be perpetual; and shall run with the land.
- (5) This easement is granted subject to all prior easements or encumbrances of record.
- (6) The following is a description of Grantee's property to which this easement is appurtenant:

See attached Exhibit B
- (7) Grantor reserves the right to use, construct, and maintain the road located upon the easement strip.



Loree Elizabeth Conley
Richard Henry Francis

Sherrel Andrews
Notary Public of Oregon Expiration 6/5/91

. : 3902

STATE OF OREGON

County of Washington

On the 13th day of May, 1991, personally appeared Richard Henry Francis and Karen Elizabeth Conley, and acknowledged the foregoing instrument to be of their voluntary act and deed.

Sherril Andrews

Notary Public for Oregon

My commission expires 6-5-91

Mr. Richard Francis
11863 SW Greenberg Rd.
Suite 20
Tigard, Oregon 97223

3903

DRAFT LEGAL DESCRIPTION
ATTACHMENT A

Beginning at a point 15' East from the North West Corner of the East $\frac{1}{4}$ of the East $\frac{1}{4}$ of Section 21, Township 36 South Range 12 East of the Willamette Meridian, Klamath County, Oregon; thence 15' East along the North Boundary of said East $\frac{1}{4}$ of the East $\frac{1}{4}$ of Section 21 to a point; thence South to a point intersecting the right of way of Highway 140; thence in a South Westerly direction along said right of way to a point which is the South East corner of an easement recorded in Volume 75, Page 15643, Klamath County Deed Records; thence North along the East Boundary of said Easement to the place of beginning. **EXCEPTING THEREFROM** any portion lying within the right of way of the GREAT NOTHERN RAILWAY.

ATTACHMENT B

Lots 1, 8, 9, 16, 17, 24, 25 and 32 of Section 16, Township 36 South, Range 12 East of the Willamette Meridian, Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Mountain Title the 28 day
of May A.D., 19 91 at 9:22 o'clock A M., and duly recorded in Vol. M91
of Deeds on Page 9900
Evelyn B. Behn County Clerk
By Sumetha A. Hetch

FEE

43.00

Return to:

Bill Nourse
Nourse & Associates
1306 N Hwy 99W
McMinville, OR 97128