

40165

GRANT OF ROADWAY EASEMENT

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This grant of easement is by and between GENE D. SPILLANE AND VIRGINIA G. SPILLANE, herinafter referred to as "the owners of parcel 1"; and MARGURETTE L. ALBERT AND WILMA F. HARPER, herinafter referred to as the "owners of parcel 2."

Parcel 1 is a portion of the East 1/2 of the Southeast 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 3 Township 40 South, Range 13 East of the Willamette Meridian in the County of Klamath, State of Oregon. Tax Lot #4013-31000, Now Known As #4013-300-1000

Parcel 2 is all that portion of the Southwest 1/4 lying Northerly and Easterly of the U.S.B.R Lost River Channel Improvement, Northwest 1/4 Southeast 1/4 of Section 3, Township 40 South, Range 13 East of the Willamette Meridian, in the County of Klamath, State of Oregon.

In consideration of the sum of FIVE HUNDRED DOLLARS (\$500), receipt of which is hereby acknowledged, the owners of Parcel 1, for themselves, their heirs and assigns, hereby grant to the owners of Parcel 2, their heirs and assigns, a roadway easement over and across the Northern boundary of parcel 1, 40 feet in width, and running parallel to the existing drainage ditch also running along said Northern boundary. The roadway easement shall be for the purpose of giving the owners of parcel 2 ingress and egress to parcel 2 from Gale Road.

The owners of Parcel 2 may, at their option and sole expense, construct and maintain an all-weather road across the easement created herein.

The easement granted herein shall run with the land as to all properties burdened and benefitted by such easement, including any division or partition of said property. The rights, covenants and obligations contained in this agreement shall bind, burden and benefit each party's successors, assigns, lessees, mortgagees, or beneficiaries under a deed of trust. Notwithstanding the foregoing, this easement shall be extinguished in the event that parcel 2 comes into the ownership of Richard Barrett and Willie Mendenhall.

THIS GRANT OF ROADWAY EASEMENT IS GIVEN TO CORRECT THE LEGAL DESCRIPTION OF PARCEL 1 OF THAT CERTAIN GRANT OF ROADWAY EASEMENT RECORDED DECEMBER 16, 1987 IN VOLUME M87 AT PAGE 22415.

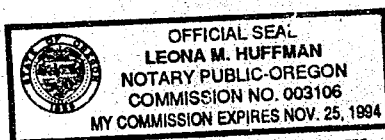
RETURN TO: WILMER E. HAMMERICH, JR.
18425 W. LANGELEY VALLEY RD.
BONANZA, OREGON 97623

Gene D. Spillane
GENE D. SPILLANE

Virginia G. Spillane
VIRGINIA G. SPILLANE

STATE OF OREGON, County of Klamath) ss.

Personally appeared the above-named Gene D. Spillane and acknowledged the foregoing instrument to be his voluntary and deed.



Leona M. Huffman
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/25/94

STATE OF OREGON, County of Klamath) ss.

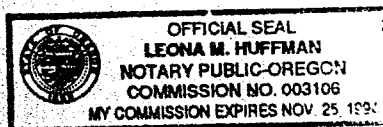
Personally appeared the above-named Virginia G. Spillane and acknowledged the foregoing instrument to be her voluntary act and deed.

STATE OF OREGON, ss.
County of Klamath

Leona M. Huffman
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/25/94

Filed for record at request of:

Klamath County Title Co.
on this 24th day of Jan. A.D., 19 92
at 9:44 o'clock A M. and duly recorded
in Vol. M92 of Deeds Page 1477
Evelyn Blehn County Clerk
By Pauline Mendenhall Deputy.



Fee, \$28.00

Return: KCTC

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