## AGREEMENT FOR EASEMENT

THIS AGREEMENT, Made and entered into this 9th day of DEANNA E. CURTISS, hereinafter called the first party, and JAMES second party.

LEWIS, hereinafter called the

## WITNESSETH:

WHEREAS: The first party, CAMERON A. CURTISS, is the record owner and the first party, DEANNA E. CURTISS, is a mortgagee thereon of the following described real estate in Klamath County,

That certain property described on Exhibit B attached hereto and by this reference made a part hereof

which for the purposes of this Agreement for Easement is the servient property and first party 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 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 for the benefit of that certain real property in Klamath County, State of Oregon, to-wit:

That certain property described on Exhibit A attached hereto and by this reference made a part hereof which is owned by second party and for the purposes of this Agreement for Easement is the

an easement across the real property described on Exhibit B attached hereto to provide ingress and egress between Highway 140 West, also known as the Lake of the Woods Highway, and the property described on Exhibit A attached hereto. Said easement the shall be 30 feet in width with the center of said easement being the center of the presently existing road which is accessed from highway 140 West at the main Rock Creek Ranch entrance approximately .1 of a mile west of the intersection of Highway easement is granted runs from the main Rock Creek Ranch entrance to a point where it joins the Eagle Ridge Road and continues along the Eagle Ridge Road to a point where it departs the Eagle

AGREEMENT FOR EASEMENT -1-

MICHAEL L. BRANT
ATTORNEY AT LAW
325 MAIN STREET
MI AMATH FALLS, OR 97601

Ridge Road in a generally northerly direction and continues through the main ranch barnyard and corrals to a point on the west side of the dominant property described on Exhibit A

The second party shall have all rights of ingress and egress to and from said real estate described in Exhibit A attached hereto (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

Except as to the rights herein granted, the first party shall have the full use and control of the real estate described in Exhibit B attached hereto.

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 herein shall be personal to second

As long as first party continues to own the servient property during the existence of this Agreement for Easement, first party shall maintain and bear the cost of maintenance of the easement according to the standards which first party has maintained the easement road over the past few years. In the event that first party shall sell the servient property during the existence of this Agreement for Easement, the maintenance and cost of maintenance of the easement shall be the responsibility of first party's successor and second party, with each party being responsible for its proportionate share of maintenance based upon the wear and tear attributable to each respective party. The parties acknowledge that first party uses the road for residential purposes and, in addition thereto, for farming, ranching, and logging operations. The use of the second party is primarily for residential purposes.

This Agreement for Easement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but also to first party's heirs, executors, administrators, and successors in interest as well.

In construing this agreement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this agreement shall apply equally to

individuals and to corporations.

IN WITNESS WHEREOF, the parties hereto have executed this easement on the date first above written.

Camuon Q. Curliss Cameron A. Curtiss, First Party STATE OF OREGON, County of Klamath) ss. This instrument was acknowledged before me on the 9th day \_\_\_\_, 1993 by cameron A. Curtiss. STATE STREET OFFICIAL SEAL ucas LISA M. LUCAS Notary Public for Oregon NOTARY PUBLIC - OREGON COMMISSION NO. 002103 MY COMMISSION EXPIRES OCT. 07, 1994 My Commission Expires: 10/7/44 \* 515 Y. Deanna E. Curtiss, First Party STATE OF OREGON, County of Klamath) ss. This instrument was acknowledged before me on the 15 day of MARCH, 1993 by Deanna E. curtiss. OFFICIAL SEAL
LISA M. LUCAS
NOTARY PUBLIC - OREGON
COMMISSION NO. 002103 Notary Public for Oregon My Commission Expires: 10/7/94 MY COMMISSION EXPIRES OCT. 07, 1994 James G. Lewis Second Party STATE OF OREGON, County of Klamath) ss. This instrument was acknowledged before me on the 9th day , 1993 by James, G. Lewis. OFFICIAL SEAL Notary Public for Oregon
My Commission Expires: 0/194 LISA M. LUÇAS NOTARY PUBLIC - OREGON
COMMISSION NO. 002103
MY COMMISSION EXPIRES OCT. 07, 1994

Pamela "Penny" A. Lewis, Second Party

Lucas

My Commission Expires: 16/1/94

Notary Public for Oregon

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on the Of MARCH , 1993 by Pamela Penny A. Lewis.

OFFICIAL SEAL LISA M. LUCAS NOTARY PUBLIC - OREGON COMMISSION NO. 0C2103 MY COMMISSION EXPIRES OCT. 07, 1994

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# FXHIBIT A

A tract of land situated in the SM of Section 34, 1365, R7FMM, and the NMX of Section 3, 1375, R7FMH, Klamath County, Oregon, more

Beginning at a 5/8-inch iron pin on the northwesterly right of way line of the County Road to Lagle Ridge, as established by found center line hubs, from which the W; corner of said section 3 bears S51 41 42 W 3152.04 feet; thence N21 01 06 W 1525.29 feet, to a 5/8-inch iron pin; thence NS1 59 35"W 601.47 (cet, to a 5/8-inch iron pin; thence NOB 00'25"E 504.82 feet, to a 5/8-inch iron pin; thence 394.49 feet, to a 5/8-inch iron pin; thence N11'16'48"W to a 5/8-inch iron pin; thence N22'00'51"E 185.12 feet, to a 5/8-inch iron pin; thence N20'12'08" 296.83 feet, to a 5/8to a 278-inch iron pin; thence WZU LZ UUT ZZG. 83 feet, to a 278-inch iron pin; thence WLO 13 OUT 514 feet, more or less, to a point on the North line of said 50% of section 34; thence Easterly, along said north line, 946 feet, more or less, to a point that is 60 feet Westerly of the center & corner of said section 34; thence Southerly, parallel to and 60 feet from the morth-could center section line of sold section 34, 2596 feet, more or less, to a point on the section line common to said sections 34 and 3; Thence Southerly, parallel to and 6U feet from the north-eouth center section line of said section 3, 670 feet, more or less, to a point on the northwesterly right of way line of the said founty Road to Faule Ridge; thence \$59044'32"V 100.00 (cct, more or less, to the point of beginning, containing 61.09 acres, more or less, with bearings based on a solar observation. Reference above described tract of land to recorded Survey No. 2744, as recorded in the office of the Klamath County Surveyor.

The above described tract of land is subject to any casements or rights of way of record or apparent.

MIC NO. 27713

### LEGAL DESCRIPTION

#### PARCEL 1

Township 36 South, Range 7 Fast of the Willamette Meridian, Klamath County, Oregon:

Section 32 West of Lake: Government Lots 6, 7 and 8.

Section 33 West of Lake: Government Lots 3, 4, 5, 6, 7, and 8, and that portion of Government Lot 2 lying Westerly of a straight line running from the Northwest corner to the Southeast thereof.

ALSO the SW 1/4; W 1/2 SE 1/4; SE 1/4 SE 1/4.

Section 34 West of Lake: Government Lots 1, 2, 11 and 12; E 1/2 SW 1/4; SW 1/4 NW 1/4; SAVING AND EXCEPTING THEREFROM that portion of the SW 1/4 NW 1/4 described as follows:

Beginning at the Northwest corner of said SW 1/4 NW 1/4; thence Southeasterly along a straight line to the Southeast corner of said SW 1/4 NW 1/4; thence North along the East line of said SW 1/4 NW 1/4 to the Northeast corner thereof; thence West along the North line of said SW 1/4 NW 1/4 to the point of beginning.

ALSO SAVING AND EXCEPTING the Easterly 60 feet of even width of the Fractional SW 1/4 of said Section 34.

ALL the above described property further described by instrument establishing boundary lines recorded November 1, 1916, Volume 46, page 242, Deed Records of Klamath County, Oregon.

SAVING AND EXCEPTING from the above described property that portion thereof conveyed to Klamath County, a governmental subdivision of the State of Oregon, for road purposes, by deed recorded May 12, 1977 in Volume M77, page 8251, Deed Records of Klamath County, Oregon.

Excepting therefrom the following:

A tract of land situated in the SW 1/4 of Section 34, Township 36 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, and the NW 1/4 of Section 3, Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a 5/8 inch iron pin on the Northwesterly right of way line of the County Road to Eagle Ridge, as established by found center line hubs, from which the W 1/4 corner of said Section 3 bears South 51 degrees 41'42 West 3152.04 feet; thence North 21 degrees 01'06" West 1523.29 feet, to a 5/8 inch iron pin; thence North 81 degrees 59'35" West 601.47 feet, to a 5/8 inch iron pin; thence North 108 degrees 00'25" East 501.82 feet, to a 5/8 inch iron pin; thence North 11 degrees 16'48" West 394.49 feet, to a 5/8 inch iron pin; thence North 12 degrees 00'51" East 185.12 feet, to a 5/8 inch iron pin; thence North 16 degrees 13'00" East 514 feet, more or less, to a point on the North line of said SW 1/4 of section 34; thence Easterly along said North line, 946 feet, more or less to a point that is 60 feet Westerly of the center 1/4 corner of said Section 34; thence Southerly, parallel to and 60 feet from the North-South center section line of said Section 34, 2596 feet, more or less, to a point on the section line common to said Section 34 and 3; thence Southerly parallel to and 60 feet from the North-South center section line of said Section 3, 670 feet, more or less, to a point on the North-South center section line of said Section 3, 670 feet, more or less, to a point on the North-South center section line of the said County Road to Eagle Ridge; thence South 59 degrees 44'32" West 100.00 feet, more or less, to the point of beginning, with bearings based on a solar observation. Reference above described tract of land to recorded Survey No. 2744 as recorded in the office of the Klamalh County Surveyor.

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#### LEGAL DESCRIPTION - CONTINUED

Township 37 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon:

Section 3: That portion of the S 1/2 NW 1/4 described as follows:

Beginning at the Northeast corner of said S 1/2 NW 1/4; thence West along the North line of said S 1/2 NW 1/4 to the Northwest corner thereof; thence South along the West line of said S 1/2 NW 1/4 to the Southwest corner thereof; thence Northeasterly along a straight line to the point of beginning.

Also the NW 1/4 NW 1/4; NE 1/4 NW 1/4 EXCEPT the Easterly 60 feet of even width of said NE 1/4 NW 1/4

Section 4: Government Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; NE 1/4 NW 1/4, NW 1/4 NE 1/4; SE 1/4 NW 1/4; NE 1/4 SW 1/4.

ALSO Government Lot 1 EXCEPT that portion thereof heretofore conveyed by Weyerhaeuser Timber Company to the State of Oregon by deed dated September 13, 1951, recorded October 3, 1951 in Volume 250, page 175, Deed Records of Klamath County, Oregon.

ALSO that portion of the SE 1/4 SE 1/4 lying West of a line extending from the Southwest scorner of said SE 1/4 SE 1/4 to the Northeast corner of Government Lot 6 of said Section 4.

SAVING AND EXCEPTING from the above described property that portion of Government Lot 6 lying Easterly of a straight line extending Southwesterly from the Northeast corner of said Government Lot 6 to the Southwest corner of the SE 1/4 SE 1/4 of Section 4.

\* \* \* END of LEGAL DESCRIPTION \* \* \*

STATE OF OREGON, County of Klamath) ss.	. 11
I certify that the within instrument was received for record on the	he
16th day of March, 1993 at 3:44 o'clock p .m., as	
recorded in Volume M 93 on page 5435 or as instrumer	
number 58710 , Deed Records of said county.	
Witness my hand and seal of County affixed.	111

EVELYN BIEHN, County Clerk

By: Daniero Mulendine
Deputy

Fee \$60.00

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