

65745

Vol. mg3 Page 19317RIGHT OF WAY EASEMENTRECITALS:

WHEREAS, ARTHUR M. GEARY TRUST (Grantor) is the owner of certain real property located in Klamath County, Oregon, described in Exhibit "A" attached hereto and incorporated herein, which lies between Highway 140 (approximately one-half ( $\frac{1}{2}$ ) mile east on Highway 140 from Milepost 60) and certain real property located in Klamath County, Oregon, described in Exhibit "B" attached hereto and incorporated herein, which is co-owned by ALICE GEARY KILHAM (Grantee), SUSAN BOEHNER, DOROTHEA YELLOTT, MARTHA SMITH, RICHARD GEARY, upon a portion of which Grantee has erected a residence; and,

WHEREAS, Grantor has agreed to grant to Grantee an easement for right-of-way over the presently existing or alternate private road located on the property described in Exhibit "A" and upon a further strip of land being purchased by Grantor from Shamrock Holdings of California, Inc. Said property lies between Highway 140 (approximately one-half ( $\frac{1}{2}$ ) mile east on Highway 140 from Milepost 60), and Grantee's residence on the property described in Exhibit "B", the approximate location of which is shown on the map attached hereto as Exhibit "C" and incorporated herein.

AGREEMENT

1. Pursuant to the aforesaid, and in consideration of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged and the further consideration of love and affection, Grantor hereby grants to Grantee, her heirs, successors, and assigns: Full and free right and liberty for Grantee, Grantee's tenants, servants, visitors, and licensees, at all times hereafter, with or without vehicles, for ingress and egress along said private road, or an alternate road provided by Grantor which is suitable for all lawful purposes connected with the use and enjoyment of Grantee's residence as a single, private dwelling house.

2. To have and to hold said easement or right-of-way hereby granted unto Grantee, her heirs and assigns, as appurtenant to the land of Grantee.

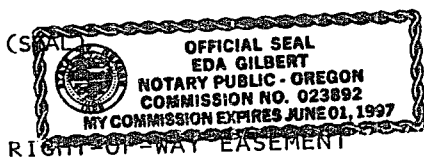
IN WITNESS WHEREOF, Grantor has set her hand this 14th day of July, 1993.

Arthur M. Geary Trust

By Martha Smith  
Martha Smith, Trustee

STATE OF OREGON       )  
                                  ) ss.  
County of Klamath     )

On the 14th day of July, 1993, personally appeared before me the above named Martha Smith and acknowledged the foregoing Instrument to be her voluntary act and deed.



Eda Gilbert  
Notary Public for Oregon  
My Commission expires: 6-1-97

The following described property situate in the State of Oregon,  
Klamath County, to-wit:

**AMG TRUST PROPERTY**

Beginning at the intersection of the East-West center line of Sec. 8, Twp. 38 S.  
R. 8E. W.M. and the northerly boundary of the Klamath Lake Highway; thence  
East on said center line of Sec. 8 to a point that is 1100 feet East of the quarter  
corner between Secs. 7 and 8; thence South 330 feet; thence East 660 feet;  
thence North 330 feet; thence East on the center line of Sec. 8, 220 feet to the  
North-South center line of the NE1/4;4SW1/4 of Sec. 8; thence South along said  
North-South center line to its intersection with the northerly boundary of the  
Klamath Lake Highway; thence Northwesterly along northerly boundary of  
said Klamath Lake Highway to the point of beginning.

Exhibit "A" to Right-of-Way Easement

AFTER RECORDING RETURN TO:

GIACOMINI & KNIIPS  
ATTORNEYS AT LAW  
635 MAIN STREET  
KLAMATH FALLS, OREGON 97601

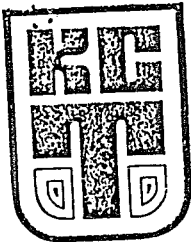
# Description of property purchased by Arthur M. Gary Trust from Shamrock

The following described real property situated in Klamath County, Oregon:

A tract of land situated in the E1/2 of Government Lot 4 of Section 8, T38S, R8EWM, Klamath County, Oregon, more particularly described as follows:

That portion of said E1/2 of Government Lot 4 lying between the Northerly right of way line of State Highway 140 and the following described line. Beginning at a point on the Northerly right of way line of said Highway 140 from which the N1/4 corner of said Section 8 bears N02degrees 03' 29" E 3694.89 feet; thence N42 degrees 44' W, along an existing fence line and its extension 713 feet, more or less, to a point on the north-south center line of the NE1/4 SE1/4, containing 2.0 acres, more or less, and with bearings based on the center line of said Highway 140 being N83degrees 37' 13" W, as shown on record of survey no. 4035; but reserving to the grantor an easement for ingress and egress, across the following described portion. Beginning at the point of beginning of said tract; thence N42 degrees 44' W 147 feet; thence S47degrees 16' W 83.94 feet; thence S82degrees 08' 41.87 feet, more or less to a point on the northerly right of way line of said highway 140; thence S83degrees 37' 22" E 140 feet to the point of beginning; and

Subject to rules, regulations, assessments, restrictions, easements and rights of way of record and real property taxes and assessments for 1991-1992 which are now a lien but are not payable.



**KLAMATH COUNTY TITLE COMPANY**  
HOME OWNED SINCE 1905

TITLE INSURANCE • ESCROWS  
Agent for First American Title Insurance Company

MEMBER: OREGON LAND TITLE ASSOCIATION  
AMERICAN LAND AND TITLE ASSOCIATION

19320

R E Veatch, President  
Trudie Durant, Secretary

PARCEL C

We have searched our Tract Indices as to the following described property:

Beginning at the Southwest corner of Lot 2 in Section 9, Township 38 South, Range 8 East of the Willamette Meridian; thence running North 634 feet to an iron pipe driven at the point of intersection with the shoreline of the former marsh; thence in a Northwesterly direction along the shoreline of the former marsh to the East end of the existing drainage canal; thence along the center line of said drainage canal to the intersection of said center line with the section line common to Sections 8 and 9, Township 38 South, Range 8 East of the Willamette Meridian, which is the point of beginning; thence along the center line of said drainage canal to a point opposite an iron pipe driven on the North bank of drainage canal, from which said iron pipe the quarter corner common to Sections 5 and 8, Township 38 South, Range 8 East of the Willamette Meridian, bears South 17°34' East 1616.6 feet distant, and from which said iron pipe the iron pipe 634 feet North of the Southwest corner of Lot 2, Section 9, Township 38 South, Range 8 East of the Willamette Meridian, bears South 52°28' East 5694 feet distant; thence from said pipe running North 32°41' West to intersection with open waters of Upper Klamath Lake, said intersection being marked by a two-inch galvanized iron pipe six feet long driven into the dike. Then, going back to the point of beginning at the intersection of the aforementioned center line of drainage canal with the section line common to Sections 8 and 9, Township 38 South, Range 8 East of the Willamette Meridian; thence following said section line South to the quarter corner common to said Sections 8 and 9; thence West on the East-West center line of Section 8, Township 38 South, Range 8 East of the Willamette Meridian, 3520 feet; thence North 165 feet; thence West 660 feet; thence South 165 feet; thence West to the intersection of the East-West center line of Section 8, Township 38 South, Range 8 East of the Willamette Meridian, with the North boundary of the Klamath Lake Highway (Highway No. 140); thence Northwesterly along the Northerly boundary of the Klamath Lake Highway to a point 658 feet North of the East-West center line of Section 7, Township 38 South, Range 8 East of the Willamette Meridian; thence West, following the Caledonia-Wocus Division Line, which line is 658 feet North of the center line of Section 7, and parallel to said center line, to a point on the Easterly end of the cross-dike between the Caledonia and Wocus Tracts, which point is 2621 feet West of the section line common to Sections 7 and 8, Township 38 South, Range 8 East of the Willamette Meridian; thence North 24° East 100 feet; thence North 66° West 1050 feet more or less to the center line of the Caledonia Canal in the SE¼ of the NW¼ of Section 7, Township 38 South, Range 8 East of the Willamette Meridian; thence Northerly along the center line of said Caledonia Canal to the intersection of said center line with the West boundary of Lot 3 in Section 6, Township

422 MAIN ST. / P. O. BOX 151 / KLAMATH FALLS, OREGON 97601 / (503) / 544 5111

Order No. K-42507 Amended  
Lot Book Service

Parcel C continued---

38 South, Range 8 East of the Willamette Meridian; thence North along the West boundary of Lot 3 to the shores of Upper Klamath Lake; thence following the shores of Upper Klamath Lake Northerly to a closure at the two-inch galvanized pipe six feet long driven into the dike, as aforementioned. Together with the interest of owners of the lands herein described in and to the dike described in deed from Percy M. Collier, executor of the Estate of E. P. McCornack, deceased to Ruth Stevenson Addition, et al., dated August 23, 1917, and recorded October 8, 1917, in Volume 47 page 331 of Klamath County Deed Records, but subject to the obligations set forth in said deed.

EXCEPTING THEREFROM the following described tract:

A tract of land in Section 6, Township 38 South, Range 8 East of the Willamette Meridian, described as follows:

All of that portion of Government Lot 2 lying East of the drainage canal running North and South across said lot.

ALSO EXCEPTING:

All of that portion of Government Lots 3 and 4 lying Northerly and Easterly of the Caledonia Canal.

ALSO EXCEPTING:

That portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$  described as follows: Beginning at the Northeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence West, along the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ , a distance of 93.0 feet, more or less, to the intersection of said North line with the drainage canal running North and South through said NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence Southeasterly along the East line of said drainage canal 630.0 feet, more or less, to the intersection of said canal with the East line of the above mentioned NW $\frac{1}{4}$ SW $\frac{1}{4}$ ; thence North, along said East line, a distance of 610.0 feet more or less to the point of beginning.

Exhibit "B" to Right-of-Way Easement

STATE OF OREGON: COUNTY OF KLAMATH: SS.

By Evelyn Biehn County Clerk

FEE	\$55.00
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