

Randy Shih  
P.O. Box 2014  
Klamath Falls  
OR 97601

77465

Vol 94 Page 7596

03-14-94A10:17 RCVD

#### AGREEMENT FOR EASEMENT

This agreement, made this First day of March 1994, by and between Hong-Yee (Randy) Shih ("Grantee"), P.O. Box 2014, Klamath Falls, OR 97601 and T & V Corporation ("Grantor"), 409 Pine Street, Klamath Falls, OR 97601.

Whereas, Grantor is the owner of land described in Land Partition 30-93, Klamath County, Parcel 2.

Whereas, the Grantee requires an easement for a roadway and commonly associated utilities (the "Facilities") across Grantor's property at a location more specifically described herein below:

Now, in consideration of the performance by the Grantee of the covenants, terms and conditions hereinafter set forth; Grantor hereby grants, conveys, and quit claims to the Grantee the following easement:

A parcel of land located in the Southeast quarter of Section 26, Township 38 South, Range 9 East, Willamette Meridian; more particularly described as follows: Beginning at a point on the westerly edge of an 80 feet public easement shown on Land Partition 30-93, Klamath County Records, which point is 1283.98 feet, N 88° 51'21" W of the S.E. Corner of said section 26, thence N 3°17'36", 60.00 feet along the westerly edge of the public easement, thence N 88°51'21" W, 54.30 feet to the east line of parcel 3 of said Land Partition 30-93, thence S 0°03'42" E, 59.97 feet, thence S 88° 51'21" E, 50.78 feet to the point of beginning, containing 0.07 ac±.

Said easement is for the purpose of installing, constructing, maintaining, removing, repairing, replacing, and using Grantee's facilities, as designated above, and as shown on the map attached hereto as exhibit "A" and incorporated herein.

This easement is granted subject to and conditioned upon the following terms, conditions, and covenants which the parties hereby promise to faithfully and fully observe and perform:

1. COST OF CONSTRUCTION AND MAINTENANCE. The Grantee shall bear and promptly pay all costs and expenses of construction and maintenance of the facilities before installing said facilities, Grantee must notify the Grantor, in writing, all uses within the easement area.

2. USE OF PROPERTY BY GRANTOR. The Grantor shall retain the right to use the easement so long as such usage does not unduly interfere with installation of the facilities. The Grantee shall not erect or construct any other installation(s) other than what is authorized in this agreement.

3. The GRANTEE'S USE AND ACTIVITIES. The Grantee shall exercise its rights under this agreement so as to minimize and avoid, insofar as possible, damage to any private improvements on the easement herein. If any such damage occurs, the Grantee shall, at its sole expense, repair and/or replace said improvements to the satisfaction of Grantor.

4. EASEMENT TO BIND SUCCESSORS. This easement, during its existence, shall be a covenant running with the land and shall be binding on the successors, heirs and assigns of both the parties hereto.

5. LIABILITY, INDEMNITY. Grantee shall hold Grantor, its successor and assigns, harmless from any and all claims, demands, causes of action, judgements, liabilities, losses, costs, expenses, liens, charges and encumbrances of any kind whatsoever arising out of Grantee's use of Grantor's property.

6. RESTORATION. The Grantee will restore Grantor's property to a condition as good as or better then the premises were prior to entry by the Grantee.

7. Grantee shall upon permanent abandonment of said easement and removal of all improvements constructed thereon, execute and record a reconveyance and release hereof, whereupon this easement and all rights and privileges herein mutually granted shall be fully canceled and terminated.

8. No warranty of title is express implied by grant of this easement.

IN WITNESS WHEREOF, this Agreement was executed the day and year first written above.

GRANTOR:

T & V CORPORATION

BY: T. V. Shaw, President

DATE: 3-7-94

GRANTEE:

HONG-YEE (RANDY) SHIH

Hong-ye Shih

DATE: 3-1-94

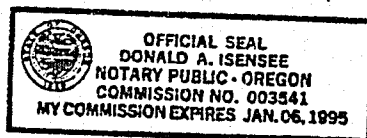
STATE OF OREGON

COUNTY OF KLAMATH

) )  
SS.

On this 7<sup>TH</sup> day of MARCH, 1994, before me, personally appeared T. J. SHIH and known to be the President of the T & V Corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year above written.



Donald A. Iensee  
Notary Public in and for the  
State of Oregon, residing at  
Klamath County, Oregon

My appointment expires: 1-6-95

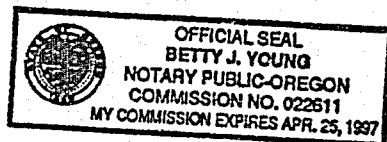
STATE OF OREGON

COUNTY OF KLAMATH

) )  
SS.

On this 1st day of MARCH, 1994, before me, personally appeared Hong-Yee (Randy) Shih executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act, for the uses and purposes mentioned in the instrument.

WITNESS my hand and official seal hereto affixed the day and year above written.



Betty J. Young  
Notary Public in and for the  
State of Oregon, residing at  
Klamath County, Oregon

My appointment expires: 4-25-97

7699

Exhibit "A"

Land Par

Located in Sect  
City of Klamath

Parcel 3

Deed recorded in book M93 on page 23684  
in Klamath County ( File Number: 68081 )

Owner: Randy Shih

Road and Utility Easement

26

35

on the  
County of  
Klamath

00.00 0.00

# Partition 30-93

7700

on 26. T. 38S., R9E.; W.M.  
Falls, Klamath County, Oregon

North



Parcel 2

Owner: T & V Corporation

## Description of Easement:

A parcel of land located in the Southeast quarter of Section 26, Township 38 South, Range 9 East, Willamette Meridian; more particularly described as follows: Beginning at a point on the westerly edge of an 80 feet public easement shown on Land Partition 30-93, Klamath County Records, which point is 1283.99 feet, N 88° 51'21" W of the S.E. Corner of said section 26, thence N 3°17'36", 60.00 feet along the westerly edge of the public easement, thence N 88°51'21" W, 54.30 feet to the east line of parcel 3 of said Land Partition 30-93, thence S 0°03'42" E, 59.97 feet, thence S 88° 51'21" E, 50.78 feet to the point of beginning, containing 0.07 ac±.

26 25

35-36

Gas pipeline

~~Hamdale~~ Road

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Randy Shih the 14th day of March A.D., 19 94 at 10:17 o'clock A M., and duly recorded in Vol. M94 of Deeds on Page 7696.

FEE \$ 50.00

Evelyn Biehn County Clerk  
By Debbie Muelens