

After recording return to: William M. Ganong, Attorney at Law, 635 Main Street, Klamath Falls, Oregon 97601

### EASEMENT

Charles H. Collman and Vivian J. Collman, husband and wife, Otis M. Simpson, as Trustee of the Simpson Living Trust dated August 21, 1991, Lawrence C. Jespersen and V. Maureen Jespersen, husband and wife, Kenneth L. Jespersen and Lorna Jespersen, husband and wife, and Leonard K. Jespersen and Vicki L. Jespersen, husband and wife, and Jeld-Wen, Inc., an Oregon Corporation, being all of the parties claiming a legal or equitable interest in the northeast quarter of Section 28, Township 37 S., Range 10 E.W.M., in the County of Klamath, State of Oregon, herein collectively referred to as Grantors, do hereby grant unto Leon Brogdon, in his capacity as the Executor of the Estate of Dorothy Lee Collman, Klamath County Circuit Court Case No. 9303722 CV, Grantee, an easement for ingress and egress on, over and across the Westerly 30 feet of the above described parcel on the following terms and conditions:

1. This easement is made and granted without warranty of title by any of the parties named as Grantor, above.
2. This easement is granted to provide access from White Line Road, a county road, to real property owned by the Estate of Dorothy Lee Collman and located in the southeast quarter of said Section 28 and the southwest quarter of Section 27, Township 37 South, Range 10, E.W.M.
3. Grantee shall use said easement in a manner that does not unreasonably interfere with the agricultural operations of Grantors.
4. Any road constructed by Grantee shall be maintained by Grantee at Grantee's sole expense. Provided, however, that if Grantors should use said road, then Grantor shall use said road in a manner that will not unreasonably damage the road or cause excessive wear and tear to the road.
5. Grantee agrees to indemnify and to hold Grantors, and each of them, harmless from and against any and all liability for personal injury or property damage arising from or resulting out of or attributable to Grantee's use and maintenance of said road.
6. In the event that any action is filed in relation to this agreement, then the unsuccessful party in the action shall pay the successful party, in addition to all sums that either party may be called upon to pay, a reasonable sum for the successful party's attorney's fees incurred in the trial court and attorney's fees incurred upon any appeal.

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7. This easement shall be perpetual and shall not be subject to termination by any act of the parties.



7. This easement shall be perpetual and shall bind and inure to the benefit of the respective heirs, personal representatives, successors and assigns of the parties.

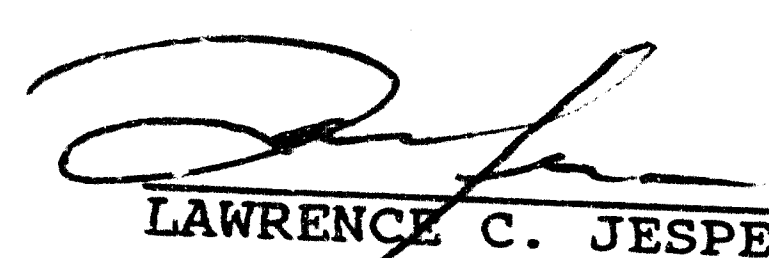
IN WITNESS WHEREOF, the Grantors have caused this easement to be executed:


CHARLES H. COLLMAN

VIVIAN J. COLLMAN

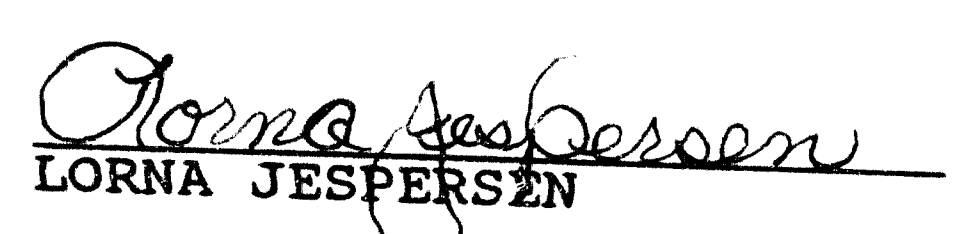
SIMPSON LIVING TRUST DATED AUGUST 21, 1991:

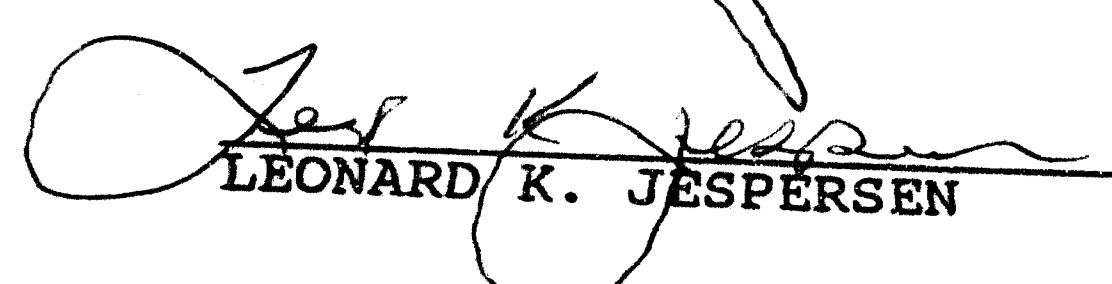
By OTIS M. SIMSON, as Trustee

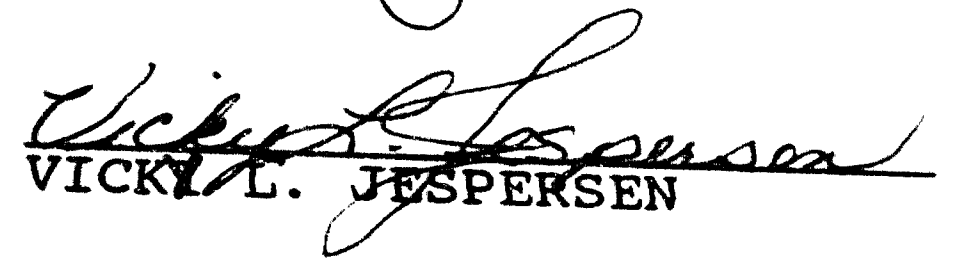
  
LAWRENCE C. JESPERSEN

  
V. MAUREEN JESPERSEN

  
KENNETH L. JESPERSEN

  
LORNA JESPERSEN

  
LEONARD K. JESPERSEN

  
VICKI L. JESPERSEN

JELD-WEN, INC., an Oregon Corporation:

Authorized Officer

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss

The foregoing instrument was acknowledged before me by Otis M. Simpson, as Trustee of the Simpson Living Trust dated August 21, 1991, this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

NOTARY PUBLIC FOR \_\_\_\_\_  
My commission expires: \_\_\_\_\_



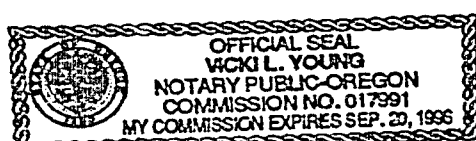
STATE OF \_\_\_\_\_ )  
 County of \_\_\_\_\_ ) ss

The foregoing instrument was acknowledged before me by Charles H. Collman and Vivian J. Collman this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

\_\_\_\_\_  
 NOTARY PUBLIC FOR  
 My commission expires:

STATE OF OREGON )  
 ) ss  
 County of Klamath )

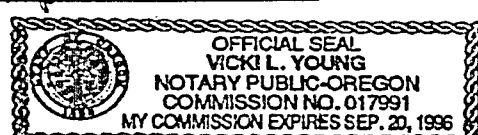
The foregoing instrument was acknowledged before me by Lawrence C. Jespersen and ~~V. Maureen Jespersen~~ this 30 day of MARCH, 1994.



Vicki L. Young  
 NOTARY PUBLIC FOR OREGON  
 My commission expires: 9-20-96

STATE OF OREGON )  
 ) ss  
 County of Klamath )

The foregoing instrument was acknowledged before me by Leonard K. Jespersen and Vicki L. Jespersen this 1 day of APRIL, 1994.



Vicki L. Young  
 NOTARY PUBLIC FOR OREGON  
 My commission expires: 9-20-96

STATE OF OREGON )  
 ) ss  
 County of Klamath )

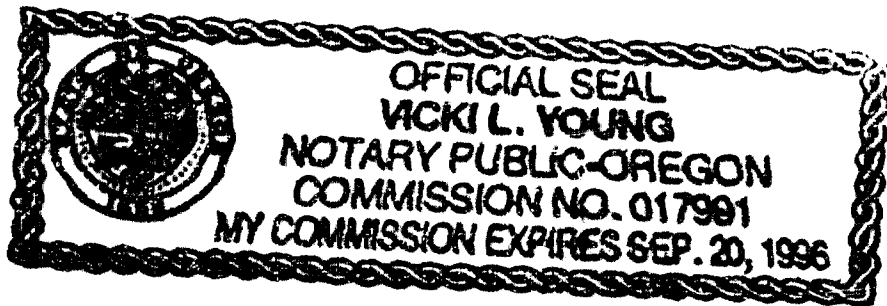
The foregoing instrument was acknowledged before me by \_\_\_\_\_, authorized officer of Jeld-Wen, Inc., an Oregon Corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

\_\_\_\_\_  
 NOTARY PUBLIC FOR OREGON  
 My commission expires:



STATE OF OREGON )  
County of Klamath ) ss.

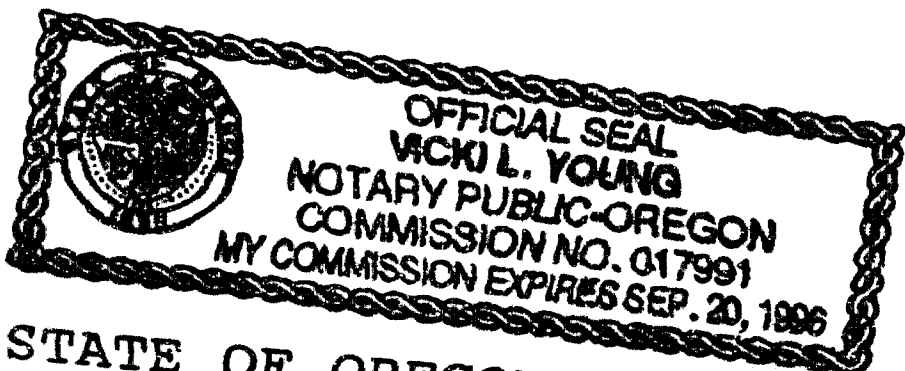
The foregoing instrument was acknowledged before me by V. Maureen Jespersen this 30 day of MARCH, 1994.



Vicki L. Young  
Notary Public of Oregon  
My commission expires 9-20-96

STATE OF OREGON )  
County of Klamath ) ss.

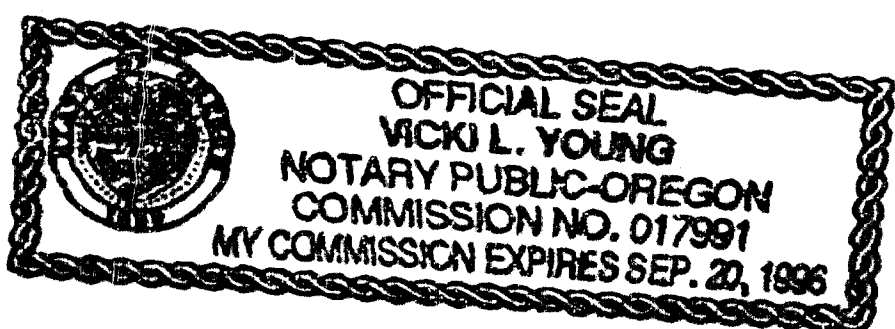
The foregoing instrument was acknowledged before me by Vicki L. Jespersen this 7 day of APRIL, 1994.



Vicki L. Young  
Notary Public of Oregon  
My commission expires 9-20-96

STATE OF OREGON )  
County of Klamath ) ss.

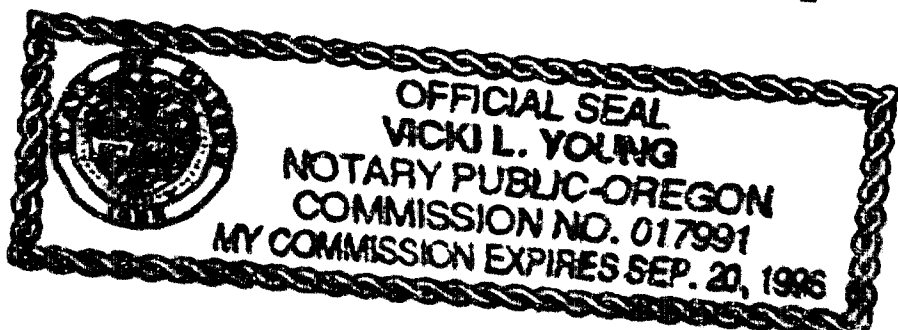
The foregoing instrument was acknowledged before me by Kenneth L. Jespersen this 31 day of MARCH, 1994.



Vicki L. Young  
Notary Public of Oregon  
My commission expires 9-20-96

STATE OF OREGON )  
County of Klamath ) ss.

The foregoing instrument was acknowledged before me by Lorna Jespersen this 1 day of APRIL, 1994.



Vicki L. Young  
Notary Public of Oregon  
My commission expires 9-20-96



12610

7. This easement shall be perpetual and shall bind and inure to the benefit of the respective heirs, personal representatives, successors and assigns of the parties.

IN WITNESS WHEREOF, the Grantors have caused this easement to be executed:

Charles H. Collman  
CHARLES H. COLLMAN

Vivian J. Collman  
By Charles H. Collman P.O.A. 99047  
VIVIAN J. COLLMAN

SIMPSON LIVING TRUST DATED AUGUST 21, 1991:

By OTIS M. SIMSON, as Trustee

LAWRENCE C. JESPERSEN

V. MAUREEN JESPERSEN

KENNETH L. JESPERSEN

LORNA JESPERSEN

LEONARD K. JESPERSEN

VICKI L. JESPERSEN

JELD-WEN, INC., an Oregon Corporation:

Authorized Officer

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss

The foregoing instrument was acknowledged before me by Otis M. Simpson, as Trustee of the Simpson Living Trust dated August 21, 1991, this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

NOTARY PUBLIC FOR \_\_\_\_\_  
My commission expires: \_\_\_\_\_

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STATE OF Oregon

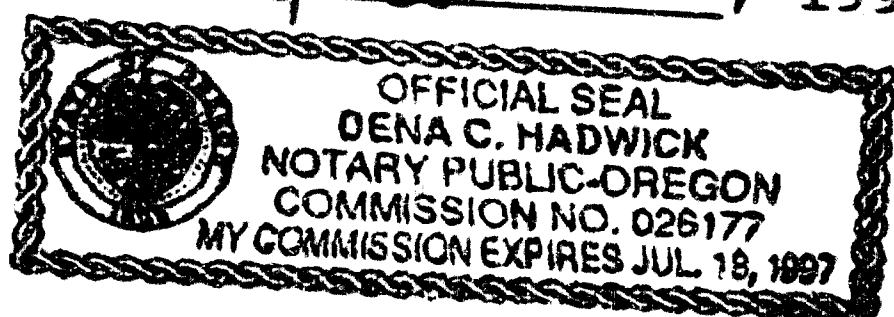
12611



12611

STATE OF Oregon )  
County of Klamath ) ss

The foregoing instrument was acknowledged before me by Charles  
H. Collman and Vivian J. Collman this 25 day of  
April, 1994.



Dena C. Hadwick  
NOTARY PUBLIC FOR Oregon  
My commission expires 7-18-97.

STATE OF OREGON )  
County of Klamath ) ss

The foregoing instrument was acknowledged before me by  
Lawrence C. Jespersen and V. Maureen Jespersen this \_\_\_\_\_ day of  
\_\_\_\_\_, 1993.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My commission expires:

STATE OF OREGON )  
County of Klamath ) ss

The foregoing instrument was acknowledged before me by Leonard  
K. Jespersen and Vicki L. Jespersen this \_\_\_\_\_ day of  
\_\_\_\_\_, 1994.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My commission expires:

STATE OF OREGON )  
County of Klamath ) ss

The foregoing instrument was acknowledged before me by  
\_\_\_\_\_, authorized officer of Jeld-Wen, Inc.,  
an Oregon Corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

\_\_\_\_\_  
NOTARY PUBLIC FOR OREGON  
My commission expires:



7. This easement shall be perpetual and shall bind and inure to the benefit of the respective heirs, personal representatives, successors and assigns of the parties.

IN WITNESS WHEREOF, the Grantors have caused this easement to be executed:

CHARLES H. COLLMAN

VIVIAN J. COLLMAN

SIMPSON LIVING TRUST DATED AUGUST 21, 1991:

By OTIS M. SIMSON, as Trustee

LAWRENCE C. JESPERSEN

V. MAUREEN JESPERSEN

KENNETH L. JESPERSEN

LORNA JESPERSEN

LEONARD K. JESPERSEN

VICKI L. JESPERSEN

JELD-WEN, INC., an Oregon Corporation:

Douglas P. Knutson, secretary  
Authorized Officer

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss

The foregoing instrument was acknowledged before me by Otis M. Simpson, as Trustee of the Simpson Living Trust dated August 21, 1991, this \_\_\_\_\_ day of \_\_\_\_\_, 1994.

NOTARY PUBLIC FOR \_\_\_\_\_  
My commission expires: \_\_\_\_\_

EASEMENT - Page 2



STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss

The foregoing instrument was acknowledged before me by Charles  
H. Collman and Vivian J. Collman this \_\_\_\_\_ day of  
\_\_\_\_\_, 1994.

NOTARY PUBLIC FOR \_\_\_\_\_  
My commission expires: \_\_\_\_\_

STATE OF OREGON )  
County of Klamath ) ss

The foregoing instrument was acknowledged before me by  
Lawrence C. Jespersen and V. Maureen Jespersen this \_\_\_\_\_ day of  
\_\_\_\_\_, 1993.

NOTARY PUBLIC FOR OREGON  
My commission expires: \_\_\_\_\_

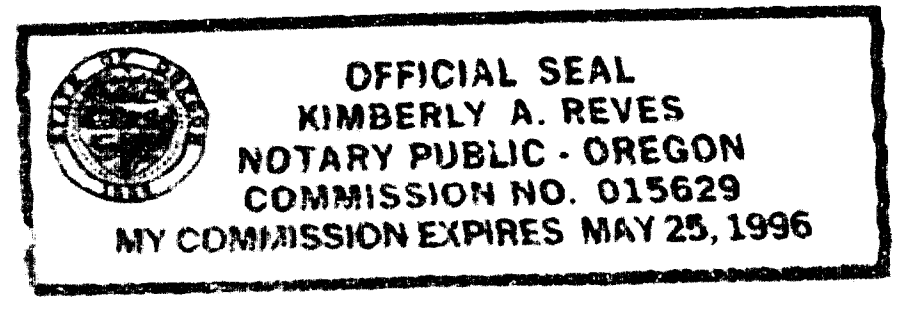
STATE OF OREGON )  
County of Klamath ) ss

The foregoing instrument was acknowledged before me by Leonard  
K. Jespersen and Vicki L. Jespersen this \_\_\_\_\_ day of  
\_\_\_\_\_, 1994.

NOTARY PUBLIC FOR OREGON  
My commission expires: \_\_\_\_\_

STATE OF OREGON )  
County of Klamath ) ss

The foregoing instrument was acknowledged before me by  
Douglas P. Kitzinger, authorized officer of Jeld-Wen, Inc.,  
an Oregon Corporation, this 19th day of April, 1994.



Kimberly A. Reves  
NOTARY PUBLIC FOR OREGON  
My commission expires: May 25, 1996



12614

7. This easement shall be perpetual and shall bind and inure to the benefit of the respective heirs, personal representatives, successors and assigns of the parties.

IN WITNESS WHEREOF, the Grantors have caused this easement to be executed:

CHARLES H. COLLMAN

VIVIAN J. COLLMAN

SIMPSON LIVING TRUST DATED AUGUST 21, 1991:

By OTIS M. SIMPSON as Trustee  
Simpson

LAWRENCE C. JESPERSEN

V. MAUREEN JESPERSEN

KENNETH L. JESPERSEN

LORNA JESPERSEN

# ALL-PURPOSE ACKNOWLEDGMENT

State of Calif

County of Butte

On 4-22-94 before me, LINDA HOFFMAN

NAME, TITLE OF OFFICER - E.G. "JANE DOE, NOTARY PUBLIC"

personally appeared OTIS M. SIMPSON

NAME(S) OF SIGNER(S)

☐ personally known to me • OR • ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

Linda Hoffman  
SIGNATURE OF NOTARY

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

## OPTIONAL SECTION

Title or Type of Document Easement

Number of Pages 2

Date of Document 4-22-94

Signer(s) Other than Named Above

## OPTIONAL SECTION

### CAPACITY CLAIMED BY SIGNER

Though statute does not require Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☒ INDIVIDUAL  
☐ CORPORATE OFFICER(S)

TITLE(S)  
☐ PARTNER(S) ☐ LIMITED  
☐ ATTORNEY-IN-FACT ☐ GENERAL  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

### SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Wm. M. Ganong  
of April A.D., 19 94 at 10:16 o'clock A.M., and duly recorded in Vol. M94  
of Deeds on Page 12606

FEE \$70.00

Evelyn Biehn - County Clerk

By Dorene Mullins