

ATC # 951372  
EASEMENT

In consideration of the sum of \$2,000 and other valuable considerations, the receipt of all of which is hereby acknowledged by Grantors, Trustees of the William C. Nash and Lois Dian Nash Trust, (Grantors), convey to the owners of the land described in paragraph 7, and their heirs, successors, and assigns (Grantees), a perpetual exclusive easement to use a strip of land 30 feet in width situated in the SE 1/4 SE 1/4 of Section 3 and in the SW 1/4 SW 1/4 of Section 2, all in T36S R10E, W.M., Klamath County, Oregon and being more particularly described as follows:

SECTION 3: The Southerly 30 feet of said SE 1/4 SE 1/4 lying East of the Chiloquin-Sprague River Highway.

SECTION 2: Beginning at the Southwest Corner of said Section 2: thence S89°35'49"E on the South Line of said Section 2, 75.00 feet; thence N00°22'12"E, 30.00 feet; thence N89°35'49"W, 75.00 feet to the West Line of said Section 2; thence S00°22'12"W on said West Line, 30.00 feet to the point of beginning.

The terms of this easement are as follows:

1. Grantees, their agents, independent contractors and invitees shall use the easement strip only for access to and from the properties described in paragraph 7 and in conjunction with such use may construct, reconstruct, maintain and repair a road thereon. This includes the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions, necessary to the Grantees' use, enjoyment, operation and maintenance of the easement hereby granted.
2. Grantees agree to indemnify and defend Grantors from any loss, claim or liability to Grantors arising in any manner out of Grantees' use of the easement strip. Grantees assume all risk arising out of its use of the easement strip and Grantors shall have no liability to Grantees or others for any condition existing thereon.
3. During the existence of the easement, maintenance of the easement and costs of repair of the easement damaged by natural disasters or other events for which all holders of an interest in the easement are blameless shall be the responsibility of all parties, share and share alike.
4. During the existence of the easement, those holders of an interest in the easement that are responsible for damage to the easement because of negligence or abnormal use shall repair the damage at their sole expense.
5. This easement shall be perpetual; however, in the event that it is not used by Grantees for a period of three years, the easement shall automatically expire and Grantees shall upon request execute a recordable document evidencing such expiration.
6. This easement is granted subject to all prior easements or encumbrances of record.
7. Following is a description of Grantees' properties to which this easement is appurtenant:  
Johnson: The NW1/4 NW1/4 of Section 11, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, lying Northwest of Rimrock;  
Wild: Township 36 South, Range 10 East of the Willamette Meridian, Klamath

County Oregon. Section 1: That part of the N1/2 of the NW1/4 of the SW1/4 lying Northwest of Rimrock and the S1/2 of the SW1/4 of the NW1/4, EXCEPTING the W1/2 of the W1/2 of said tract;

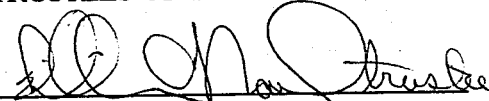
Thornton: The W1/2 of the E1/2 of the SE1/4 of the SW1/4 of Section 2, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon;

Meyers: E1/2 W1/2 SE1/4 SW1/4 of Section 2, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon; and

Wild: The S1/2 SE1/4 NE1/4 of Section 2, Township 36 South, Range 10 East of the Willamette Meridian, Klamath County, Oregon and the N1/2 SW1/4 NW1/4 and the W1/2 SW1/4 SW1/4 NW 1/4 of Section 1, Township 36 South Range 10 East of the Willamette Meridian, Klamath County, Oregon.

IN WITNESS WHEREOF, the grantors have caused this instrument to be executed on December 7<sup>th</sup>, 1995.


TRUSTEES OF THE WILLIAM C. NASH AND LOIS DIAN NASH TRUST

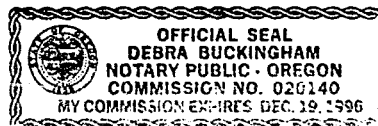
  
William C. Nash, Trustee

  
Lois Dian Nash, Trustee

State of Oregon, County of Klamath) ss.

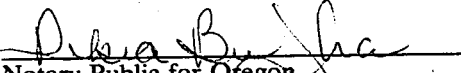
This instrument was acknowledged before me on December 7<sup>th</sup>, 1995, by William C. Nash.

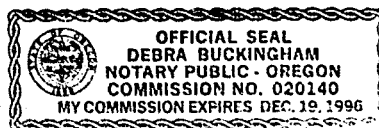
  
Notary Public for Oregon  
My Commission Expires: 12-19-96



State of Oregon, County of Klamath) ss.

This instrument was acknowledged before me on December 7<sup>th</sup>, 1995, by Lois Dian Nash.

  
Notary Public for Oregon  
My Commission Expires: 12-19-96



After recording, return to Douglas V. Osborne, Douglas V. Osborne & Associates, 439 Pine St., Klamath Falls, OR 97601

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Aspen Title & Escrow the 7<sup>th</sup> day  
of Dec. A.D., 19 95 at 3:51 o'clock P. M., and duly recorded in Vol. M95  
of Deeds on Page 33534.

FEE \$35.00

Bernetha G. Letsch, County Clerk  
By Annette Mueller