

EASEMENT

MTC 37862KR

THIS grant of easement is made this 11th day of April, 1996, by W. E. KISER, hereinafter referred to as Grantor, granting to PAUL ARRITOLA, hereinafter referred to as Grantee.

1. WHEREAS, Grantor and Grantee hereto own real property which is to be benefited by a common easement;
2. WHEREAS, Grantor owns the real property in Klamath County, Oregon, described as follows: Lot 4 in Block 3 of Midland Hills Estates, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon; and
3. WHEREAS, Grantee owns real property described as that real property in Klamath County, Oregon, as described in Exhibit "A" attached hereto, hereinafter referred to as "Grantee's parcel."

In consideration of \$4,200 hereby paid to Grantor, the Grantor hereby grants a non-exclusive easement across Grantor's property for the benefit of the Grantee. Said easement is described as being 30 feet in width and located along the westerly line of Grantors' parcel running southerly from the northwest corner of Grantor's parcel to the southwest corner, and also 30 feet in width running from the southwest corner of Grantor's parcel thence easterly along the southerly line of Grantor's parcel a distance of 145 feet (see attached Exhibit "B").

Said easement shall be for ingress and egress, and for location of utilities, including delivery of water, electricity and communication. Neither party shall conduct activities upon the easement which shall unreasonably interfere with the rights enumerated herein.

The easement, duties and obligations herein created are appurtenant and shall run with the land.

All expenses, construction, maintenance, repair and replacement of said easement or facilities shall be the responsibility of Grantee.

If suit or action is instituted to enforce any of the provisions of this Contract, the party prevailing therein shall be entitled to recover from the other such sum as the Court may adjudge reasonable as attorney's fees therein, including any appeal thereof.

Wx

This agreement and grant is binding on the parties hereto and upon the heirs, successors in interests, personal representatives and assigns of the parties hereto.

IN WITNESS WHEREOF, the Parties hereto have set their hands on the date first above written.

W. E. Kiser

W. E. KISER

Paul Arritola

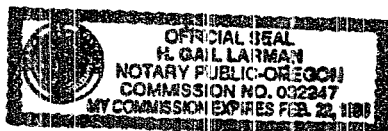
PAUL ARRITOLA

STATE OF OREGON

]
] ss.
]

County of Klamath.

The foregoing instrument was acknowledged before me this 11th day of April, 1996, by W. E. KISER.



H. Gail Larman

Notary Public for Oregon

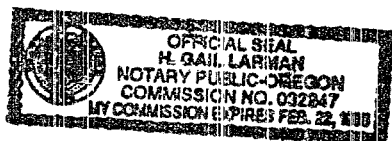
My Commission expires: 2-22-98

STATE OF OREGON

]
] ss.
]

County of Klamath.

The foregoing instrument was acknowledged before me this 11th day of April, 1996, by PAUL ARRITOLA.



H. Gail Larman

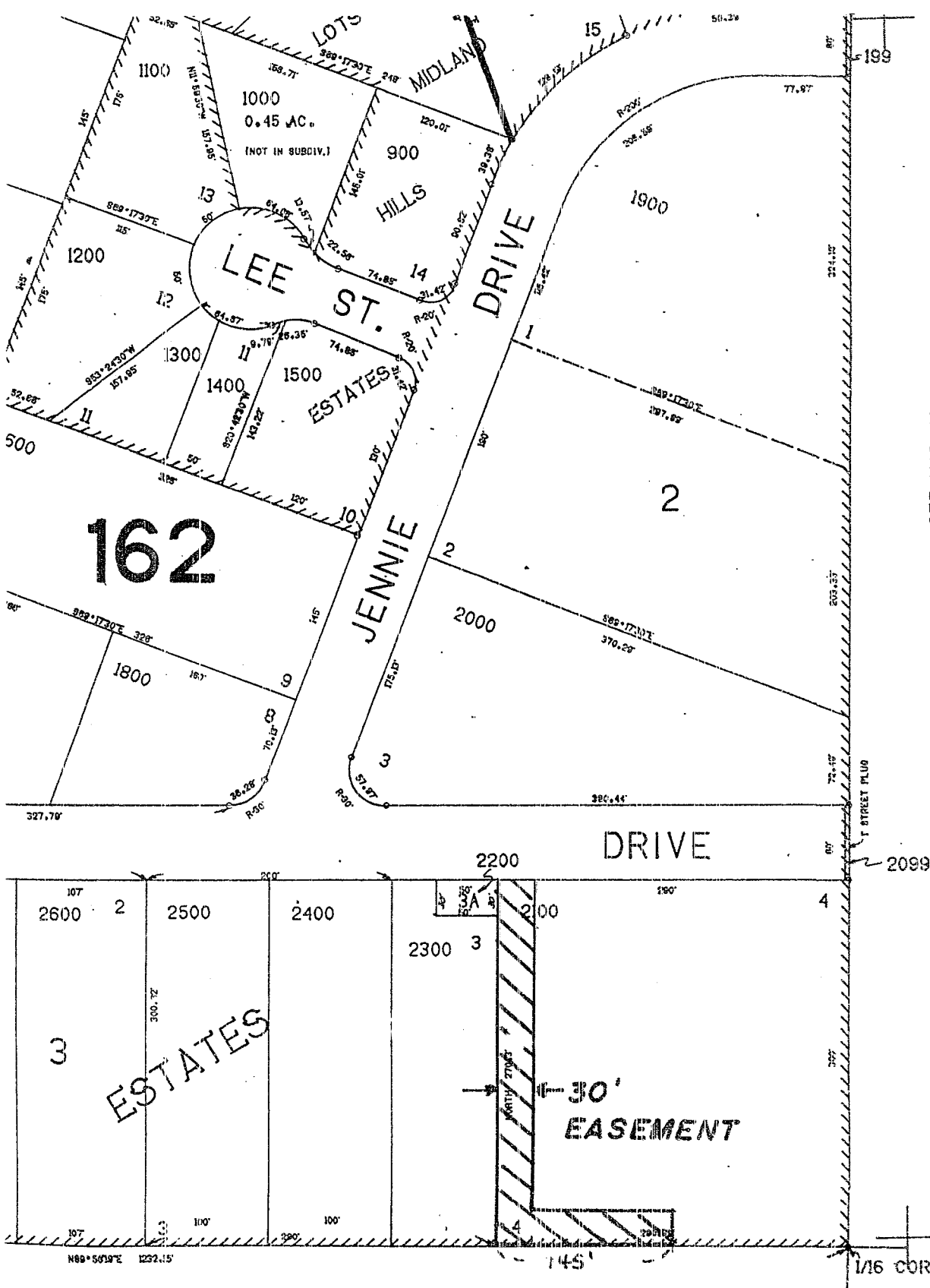
Notary Public for Oregon

My Commission expires: 2-22-98

EXHIBIT "A"

- Parcel 1: Located in the SW 1/4 NE 1/4 and the SE 1/4 NE 1/4 of Section 1, Township 40 South, Range 8 East of the Willamette Meridian, in the County of Klamath, State of Oregon, more particularly described as follows:
- Beginning at the Southeast corner of the Midland Hills Estates, a legal subdivision as platted and filed with the County Clerk, Klamath County, Oregon; thence South 00 degrees 09' 00" East for a distance of 200 feet; thence North 89 degrees 56' 19" East for a distance of 50 feet; thence South 00 degrees 09' 00" East for a distance of 230 feet; thence North 89 degrees 56' 19" West for a distance of 230 feet; thence North 00 degrees 09' 00" West for a distance of 430 feet, more or less to the South boundary line of the Midland Hills Estates; thence North 89 degrees 56' 19" East for a distance of 180 feet to the point of beginning.
- Parcel 2: Lot 3A, Block 3, Midland Hills Estates, in the County of Klamath, State of Oregon.
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EXHIBIT "B"



SEE MAP 40 08 01A

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of AmeriTitle the 23rd day of April A.D., 19 96 at 11:43 o'clock A M., and duly recorded in Vol. M96 of Deeds on Page 11270.

FEE \$45.00

Bernetha G. Letsch, County Clerk
By [Signature]