

23916

file 37727

Vol. 100 Page 26581

AGREEMENT FOR EASEMENT

THIS AGREEMENT Made and entered into this 19 day of AUGUST, 1996,
by and between EDWARD CASE JR AND BETTY CASE, CASSIE LALO CASE, LAVENA L. SMITH,
hereinafter called the first party, and EDWARD L. CASE AND TORINA CASE, HUSBAND AND WIFE
hereinafter called the second party;

WITNESSETH:

WHEREAS: The first party is the record owner of the following described real estate in Klamath
County, State of Oregon, to-wit:

**** individually and as the heirs of Leon Lalo, deceased****

The South one half of the Northeast one quarter and the North one half of the
Southeast one quarter of Section 25, Township 34 South, Range 8 E.W.M., Klamath
County, Oregon.

and has the unrestricted right to grant the easement hereinafter described relative to the real estate;

NOW, THEREFORE, in view of the premises and in consideration of One Dollar (\$1) by the second party to
the first party paid and other valuable considerations, the receipt of all of which hereby is acknowledged by the first
party, they agree as follows:

The first party does hereby grant, assign and set over to the second party an easement for ingress
and egress over the existing Nine Mile Road, a private road, extending over and
across the road created in TRACT 1118, according to the official plat on file in
office of the County Clerk of Klamath County, Oregon, through the N $\frac{1}{2}$ SE $\frac{1}{4}$ and the
S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25 for ingress and egress to the N $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 25.
Said road extends from the 60 foot non exclusive ingress and egress easement at
the East line of Lot 14, TRACT 1118, and extends Northerly through the First
Parties Real property to the Second Parties Parcel.

(Insert here a full description of the nature and type of the easement granted to the second party.)

— OVER —

AGREEMENT FOR EASEMENT

BETWEEN

AND

Edward and Torina Case
P.O. Box 2910
Chiloquin, OR 97624

After recording return to (Name, Address, Zip):

Edward and Torina Case

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,
County of _____ } ss.

I certify that the within instrument
was received for record on the _____ day
of _____, 19____,
at _____ o'clock _____ M., and recorded
in book/reel/volume No. _____ on
page _____ or as fee/file/instru-
ment/microfilm/reception No. _____,
Record of _____
of said county.

Witness my hand and seal of
County affixed.

NAME TITLE
By _____, Deputy

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The second party shall have all rights of ingress and egress to and from the real estate (including the right from time to time, except as hereinafter provided, to cut, trim and remove trees, brush, overhanging branches and other obstructions) necessary for the second party's use, enjoyment, operation and maintenance of the easement hereby granted and all rights and privileges incident thereto.

Except as to the rights herein granted, the first party shall have the full use and control of the above described real estate.

The second party hereby agrees to hold and save the first party harmless from any and all claims of third parties arising from second party's use of the rights herein granted.

The easement described above shall continue for a period of perpetuity, always subject, however, to the following specific conditions, restrictions and considerations:

If this easement is for a right of way over or across the real estate, the center line of the easement is described as follows:

and second party's right of way shall be parallel with the center line and not more than feet distant from either side thereof.

During the existence of this 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 (check one): ☐ the first party; ☐ the second party; ☒ both parties, share and share alike; ☐ both parties, with the first party being responsible for% and the second party being responsible for%. (If the last alternative is selected, the percentages allocated to each party should total 100.)

During the existence of this 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.

This agreement shall bind and inure to the benefit of, as the circumstances may require, not only the immediate parties hereto but also their respective heirs, executors, administrators and successors in interest.

In construing this agreement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this agreement shall apply equally to individuals and to corporations. If the undersigned is a corporation, it has caused its name to be signed and its seal (if any) affixed by an officer or other person duly authorized to do so by its board of directors.

IN WITNESS WHEREOF, the parties have hereunto set their hands in duplicate on this, the day and year first hereinabove written.

Edward L. Case Jr.

Cassie Lalo Case

Edward L. Case

Betty Case

First Party

Torina Case

Second Party

STATE OF OREGON,

County of

This instrument was acknowledged before me on

, 19....., by

as

of

STATE OF OREGON,

County of Klamath

This instrument was acknowledged before me on

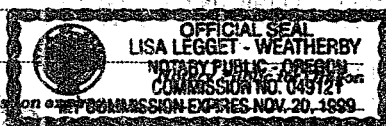
August

, 1996, by

Edward L. Case

and Torina Case

to be their voluntary act and deed



My commission expires Nov. 20, 1999

Lisa Leggett-Weatherby
Notary Public for Oregon
My commission expires 11/20/99

STATE OF OREGON,

County of Klamath

SS.

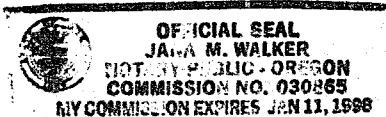
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26583

BE IT REMEMBERED, That on this 24 day of August, 1996
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named EDWARD L. CASE JR.

known to me to be the identical individual..... described in and who executed the within instrument and
acknowledged to me that HIS..... executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Jana M. Walker
Notary Public for Oregon
My commission expires 1/11/98

STATE OF OREGON,

County of Klamath

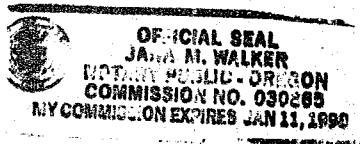
SS.

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BE IT REMEMBERED, That on this 24 day of August, 1996
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named CASSIE LALE CASE

known to me to be the identical individual..... described in and who executed the within instrument and
acknowledged to me that She..... executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Jana M. Walker
Notary Public for Oregon
My commission expires 1/11/98

STATE OF OREGON,

County of Klamath

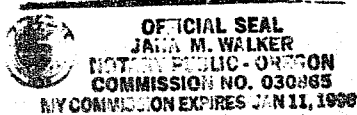
SS.

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BE IT REMEMBERED, That on this 24 day of August, 1996
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named Betty Case

known to me to be the identical individual..... described in and who executed the within instrument and
acknowledged to me that She..... executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Jana M. Walker
Notary Public for Oregon
My commission expires 1/11/96

STATE OF OREGON,

County of Klamath

SS.

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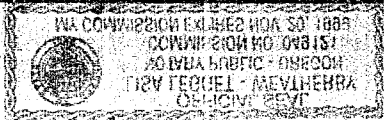
BE IT REMEMBERED, That on this 23rd day of August, 1996
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named Lavena L. Smith by Aaron Ray Smith, Her Personal Representative

known to me to be the identical individual..... described in and who executed the within instrument and
acknowledged to me that She..... executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Lisa Leggett-Weatherly
Notary Public for Oregon
My commission expires 11/20/99



26584

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Amerititle the 28th day
of August A.D. 19 96 at 9:36 o'clock A M., and duly recorded in Vol. M96,
of Deeds on Page 26581.
Bernetha G. Letsch County Clerk
By Rothman Kean

FEE \$45.00

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