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97 SEP 12 P3:51

MTC 42197-LW
AGREEMENT FOR EASEMENTVol. M 97 Page 30463Vol. M 97 Page 30093

THIS AGREEMENT, Made and entered into this ^{25th} day of August, 1997 by and between LAURENCE A. HOPPE AND DOROTHY A. HOPPE, husband and wife, hereinafter called the First Party, and MARSHAL E. ROSS II AND ANITA J. ROSS, 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:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF

***Re-recorded to attach exhibit "A"

THIS EASEMENT REPLACES THAT CERTAIN EASEMENT RECORDED IN VOLUME M94 AT PAGE 36750, MICROFILM RECORDS OF KLAMATH COUNTY, OREGON WHICH DOES NOT COVER THE EXISTING ROADWAY.

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 grants to Second Party an easement for ingress, egress and utilities over and across the following described parcel:

An easement for roadway purposes over the existing roadway across the Northeast corner of the property described in Exhibit "A". Said easement described as follows: Beginning at the Northeast corner of that parcel of land described in Exhibit "A"; thence South 63 degrees 16' 02" West, 65.0 feet; thence Southeasterly to a point on the East Boundary of the above described parcel, said point being South 00 degrees 10' 14" East, 80.6 feet from the Northeast corner of the above described parcel of land; thence North 00 degrees 10' 14" East to the point of beginning. Said roadway is for ingress and egress purposes to the property of the Second Parties.

Said easement is appurtenant to real property of the Second Party described as follows: A tract of land situated in the NE1/4 of Section 30, Township 34 South, Range 7, E.W.M., Klamath County Oregon, described as follows: Beginning at the Northeast corner of Section 30, thence South, along the East section line 792.00 feet to the true point of beginning; thence continuing South 528.00; thence West 247.50 feet; thence North 528.00 feet; thence East 247.50 feet to the true point of beginning.

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:

During the existences 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.

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.

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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 constructing 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.

FIRST PARTY

SECOND PARTY

Laurence A. Hoppe
LAURENCE A. HOPPE
Dorothy A. Hoppe
DOROTHY A. HOPPE

Marshal E. Ross II
MARSHAL E. ROSS II
Anita J. Ross
ANITA J. ROSS

STATE OF OREGON
County of KLAMATH

This instrument was acknowledged before me on August 25th, 1997 by LAURENCE A. HOPPE AND DOROTHY A. HOPPE and executed this instrument to be their voluntary act and deed.

Michelle A. Gopher
Notary Public for Oregon
My commission expires 4-05-01

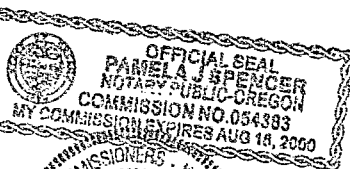


STATE OF OREGON
County of KLAMATH

This instrument was acknowledged before me this 29th day of August, 1997 by MARSHAL E. ROSS II AND ANITA J. ROSS

as their voluntary act and deed.

Pamela J. Spencer
Notary Public for Oregon
My commission expires 8/16/2000



STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Ameri title the 12th day of Sept. A.D., 19 97 at 3:51 o'clock P. M., and duly recorded in Vol. M97 of Deeds on Page 30093

FEE \$35.00

INDEXED

By *Bernetha G. Letsch* County Clerk

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EXHIBIT "A"
LEGAL DESCRIPTION

The Easterly 747.5 feet of the following described real property in Klamath County, Oregon, that lies Southerly of State Highway No. 422: The S1/2 S1/2 N1/2 NE1/4 and S1/2 N1/2 S1/2 N1/2 NE1/4 of Section 30, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon.

EXCEPTING that certain tract of land situated in the NE1/4 of Section 30, Township 34 South, Range 7 East of the Willamette Meridian, Klamath County, Oregon, described as follows:

Beginning at the Northeast corner of Section 30; thence South along the East section line 792.00 feet to the true point of beginning; thence continuing South 528.00 feet; thence West 247.50 feet; thence North 528.00 feet; thence East 247.50 feet to the true point of beginning.

ALSO EXCEPTING therefrom that portion of the above described property lying within the boundaries of Highway 422 (Chiloquin Highway).

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Ameri title the 17th day
of Sept. A.D., 19 97 at 11:24 o'clock A. M., and duly recorded in Vol. M97,
of Deeds on Page 30463.

FEE \$15.00 Re-record

By Bernetha G. Letsch, County Clerk
Ruthen Ross