

K54767
ENCROACHMENT AGREEMENT AND EASEMENT

Whereas, Howard E. West and Sally A. West, are the owners of the following described parcel:

Parcel 1 of Minor Partition 36-91 filed in the office of the County Clerk of Klamath County, Oregon, situated in SE ¼ SE ¼ Section 35, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being a portion of Lot 69 of Fair Acres No. 1, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

And Whereas, Wanda L. Wolter is the owner of the following described parcel:

Parcel 2 of Minor Partition 36-91 filed in the office of the County Clerk of Klamath County, Oregon, situated in SE ¼ SE ¼ Section 35, Township 38 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, and being a portion of Lot 69 of Fair Acres No. 1, according to the official plat thereof on file in the Office of the County Clerk of Klamath County, Oregon.

And for and in consideration of the covenants and conditions hereinafter set forth, said parties West and Wolter agree as follows:

Howard E. West and Sally A. West hereby give and grant to Wanda L. Wolter, her successors and assigns permission to encroach upon a portion of Parcel 1, insofar as ~~landscaping~~ ^{as it is now located:}

Both parties expressly reserve the right to enter the encroachment area for the purpose of maintaining, repairing and replacing any structures or improvements as they now exist.

Both parties, by execution hereunder, shall save and hold harmless each to the other, any liability for or on account of any damage to property incurred in any manner whatsoever growing out of the use or the privilege herein granted.

In witness whereof, the parties hereto have caused this agreement to be executed this 23rd day of November, 1999.

Sally A. West
Howard E. West

S. J. Reid
Wanda L. Wolter

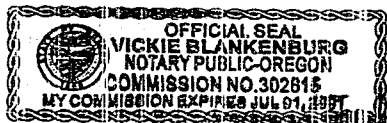
State of Oregon)
)ss,
County of Klamath)

Personally appeared the above named Howard E. West, Sally A. West, and Wanda L. Wolter and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Vickie Blankenburg
Notary Public for Oregon

Comm Expires 7-01-2001



48655-A

NOTARY PUBLIC

STATE OF OREGON,

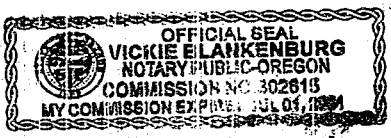
County of Klamath } SS.

FORM No. 23—ACKNOWLEDGMENT.
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BE IT REMEMBERED, That on this 9th day of December, 1999,
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named Wanda L. Walters

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



Vickie Blankenburg
Notary Public for Oregon
My commission expires 7-01-2001

State of Oregon, County of Klamath
Recorded 12/10/99, at 9:46 a.m.
In Vol. M99 Page 48655
Linda Smith,
County Clerk Fee \$ 35.00