

MTC 50443-KR
EASEMENT

Vol. M00 Page 10045

2000 MAR 28 AM 11:41

Date: March 24, 2000

For valuable consideration received, JELD-WEN, inc., (Grantor) conveys to Edward F. Atkin, (Grantee) a nonexclusive easement to use a road which presently exists on and passes across the following described land owned by Grantor:

The SE1/4 SE1/4 of Section 35, Township 34 South, Range 8 East, Willamette Meridian, Klamath County, Oregon

for the purpose of ingress and egress to and from real property owned by Grantee, described in Item 7 below. The centerline of said road is described as follows:

Beginning on the Sprague River Road in the SE1/4 SE1/4 of Section 35, Township 34 South, Range 8 East, Willamette Meridian, Klamath County, Oregon thence southeasterly over the existing road to the south line of said SE1/4 SE1/4 of Section 35.

The terms of this easement are as follows:

1. Grantee, its agents, and invitees shall use said road for ingress and egress to and from Grantee's land only
2. Grantee shall have the duty to repair, at Grantee's own expense, any excessive or unusual damage to said road caused by Grantee's use thereof
3. Grantor reserves the right to use and maintain said road for Grantor's own purposes. Grantor may grant use rights to third parties. The parties may cooperate during periods of joint use so that each party's use shall cause a minimum of interference to the others', however, in case of conflict Grantor's right to use shall be dominant
4. Grantor reserves the right to relocate said road at any time and in such case shall reconstruct the road at such new location, so long as grantor does not cut off or deny Grantee's right of access to Grantee's property. If said road is relocated, Grantor may record an instrument indicating the location of the new road and such instrument shall serve to amend this easement and eliminate the rights of Grantee in the original road covered by this easement. Such amendment shall be effective whether or not signed by Grantee, but Grantee shall execute it or such other document necessary to indicate relocation of the road when and if requested by Grantor
5. Grantee agrees to indemnify and defend Grantor from any loss, claim or

EASEMENT

Page 1 of 3

Upon recording return to:

JELD-WEN, inc.

Attention: Craig Ditman

3250 Lakeport Blvd. PO BOX 5079

Klamath Falls, OR 97601

31.00
m

liability to Grantor arising in any manner out of Grantee's use of said road. Grantee shall pay Grantor for any merchantable timber or other property of Grantor damaged by Grantee's use of this easement. Grantee assumes all risk arising out of its use of said road and Grantor shall have no liability to Grantee or others for any condition existing thereon

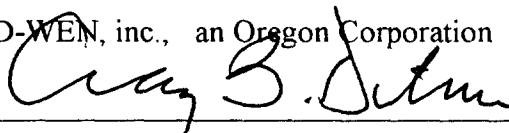
6. This easement is granted subject to all other easements and encumbrances of record
7. This easement is appurtenant to the real property owned by Grantee, which real property is adjacent to land owned by Grantor. Grantee's real property is more particularly described as follows:

W1/2 W1/2 NE1/4 NE1/4, Section 2, Township 35 south, Range 8 East, Willamette Meridian, Klamath County, Oregon.

In witness thereof, the parties have caused this instrument to be executed the day and year first written above.

GRANTOR JELD-WEN, inc., an Oregon Corporation

By



Title General Manager

GRANTEE



State of Oregon)
 ss
County of Klamath)

Personally appeared before me the above-mentioned Edward F. Atkin
and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:



Kristil Redd
Notary Public for Oregon
My commission expires: 11/16/2003

State of Oregon)
 ss
County of Klamath)

Personally appeared Craig Ditman, General Manager
of JELD-WEN, inc., an Oregon corporation, who being first duly sworn, did indicate the
foregoing instrument was signed and sealed on behalf of said corporation by authority of
its board of directors and each of them acknowledged said instrument to be its voluntary
act and deed.

BEFORE ME:



Kristil Redd
Notary Public for Oregon
My commission expires: 11/16/2003

AFTER RECORDING RETURN TO:

JELD-WEN, inc.
P O Box 5079
Klamath Falls, Oregon 97601

State of Oregon, County of Klamath
Recorded 3/28/00, at 11:41 a.m.
In Vol. M00 Page 10045
Linda Smith,
County Clerk Fee \$ 31.00